

VARIOUS BILLS AND RESOLUTIONS

MARKUP

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

ON

**H.R. 611, H.R. 1476, H.R. 1996, H.R. 5805,
H. Res. 415, H. Res. 622, H. Res. 723,
H. Res. 759, H. Res. 940, H. Res. 942,
H. Res. 965, H. Res. 976, H. Res. 992,
H. Con. Res. 317, H. Con. Res. 415,
S. 2125, S. 3836, H.R. 6060 and H. Res. 985**

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VARIOUS BILLS AND RESOLUTIONS

WEDNESDAY, SEPTEMBER 13, 2006

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, at 11:45 a.m. in room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The business meeting of the Committee will come to order.

We have a large number of noncontroversial bills on the agenda which are candidates for consideration under suspension of the rules. It is the intention of the Chair to consider these en bloc and by unanimous consent authorize the Chair to seek consideration of the bills under suspension of the rules.

All Members are given leave to insert remarks on the measures into the record, should they choose to do so.

There are measures on the agenda upon which the Committee wishes to file reports and those will be called up en bloc and motions made to report those by unanimous consent. Before we do that, the Chair has been asked to recognize two Members for a short statement and the Chair recognizes the gentleman from California, Mr. Berman.

Mr. BERMAN. Thank you very much, Mr. Chairman.

My statement pertains to H. Res. 985, a resolution of inquiry which I introduced with Mr. Delahunt, which directs the Secretary of State to provide information to Congress regarding the recent release of a semi-annual report required by the Iran and Syria Nonproliferation Act; just a short background and if a reporting quorum comes in while I am telling you that background, I will make it even shorter.

On July 20th, Chairman Rohrabacher held a hearing on his Subcommittee on U.S. nonproliferation goals and strategies. Acting Assistant Secretary for Nonproliferation Frank Record—a number of us know him, a former staff member of this Committee—testified that he did not recall if the overdue report under the Iran and Syria Nonproliferation Act would include information about any Indian entities.

When the report was submitted to the Committee only a week later, complete with information about two Indian arms proliferating to Iran and just 2 days after the vote on the India nuclear deal, it seemed hard for me to believe that Mr. Record did not know anything about this and that the timing was purely coincidental.

On July 28th, Mr. Rohrabacher, Mr. Delahunt, and I sent a letter to Secretary Rice expressing concern about this testimony and requesting a detailed briefing on why this report was not shared with Members prior to the vote.

On September 7th, only after my staff told State that I was considering a resolution of inquiry, we received a written letter in response to our July 28th letter, but the response was totally inadequate. State showed no interest in accommodating our reasonable bipartisan request for a briefing, so our only recourse was to introduce this resolution of inquiry.

It was not until this morning that I received a call from Under Secretary Nick Burns, who provided his perspective on why the report was submitted late. Even if the report had come to Congress before the vote on the India nuclear bill, I would not have changed my vote in favor of that legislation, but the information about the Indian entities was very relevant to the debate, particularly the motion to recommit, which would have conditioned civilian nuclear cooperation on India's support for United States efforts to prevent Iran from developing nuclear weapons.

At the end of the day, this really is not about the specifics of the India legislation, it is about a much larger issue: The right of this Committee and the Congress as a whole to receive all relevant information when considering an extremely important piece of legislation with serious implications for U.S. foreign policy and national security.

I yield back, Mr. Chairman, and thank you for recognizing me. Chairman HYDE. I thank the gentleman.

The Chair recognizes the gentlelady from California, Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman.

Let me thank you and our Ranking Member for convening this very important markup and also for listing several bills today which I would like to talk about very briefly. First, H.R. 611, the Haiti Economic Infrastructure Reconstruction Act. This is a bill we have worked on in a bipartisan fashion, quite frankly, for several years.

The Haiti Economic and Reconstruction Act is an important bill that will bring not only hope to Haiti but present long overdue humanitarian assistance and hands-on expertise through a professional exchange program. The program will establish a professional exchange program similar to the Peace Corps for health, judiciary and infrastructure professionals to travel to Haiti and work under the guise of USAID, in partnership with civil society and Haitian Government ministries.

Mr. Chairman and Members, of course we know that today in Haiti less than 45 percent of Haitians have access to safe water and access to sanitation. Seventy-six percent of Haiti's children under the age of 5 are underweight or suffer from stunted growth and 63 percent of Haitians are undernourished. Eighty percent of the population lives in abject poverty and the unemployment rate is estimated to be nearly 90 percent. Ninety percent of all HIV/AIDS cases in the Caribbean are in Haiti.

As we combat global HIV/AIDS, malaria, tuberculosis, maternal and child mortality and many other life-threatening diseases, we must address the long-term effect of dilapidated physical and

health infrastructure and abject poverty throughout the world, including Haiti. This bill partners with Haitians and Americans together to execute an environmentally sound approach to rebuilding Haiti. Its major provisions are aimed at developing the judicial system and basic sanitation, water, and other health infrastructures in Haiti.

This bill also would bring United States professionals, preferably Haitian-Americans, down to Haiti in order to train and educate Haitians on how to run a free and fair judiciary, how to rebuild, pave and maintain roads to provide access to rural and urban areas to health clinics.

It is my hope that the transfer of knowledge from U.S. professionals in these fields will in fact ensure long-term development and guarantee the success of the program similar to the success of the Global Fund and other international initiatives. By widening the knowledge base of nongovernmental organizations and professionals in Haiti, the United States will take advantage of unique opportunities and obligations toward Haiti's future.

This bill has bipartisan support. It has been a bipartisan effort. It has been endorsed by the Congressional Black Caucus Haiti task force and I would like to thank Congressman Foley and his staffer Bradley Shriber; Congressman Hyde, Mr. Chairman, and your staffer Ted Brennan; and Congressman Lantos and your staffer Paul Oostburg; also, of course, Aisha House of my staff for their oftentimes very intense, yet very effective, negotiations on this bill.

I urge my colleagues to vote for this legislation today. Also, the resolution with regard to designating a special envoy for the Darfur region of Sudan, that is H. Res. 992, and then a final one by Congressman Pitts which would allow for the United Nations and NATO to work together as they try to achieve some peace in this region which is quickly becoming even a greater disaster.

Thank you, Mr. Chairman.

Chairman HYDE. Without objection, the Chairman is authorized to seek consideration of the following bills under suspension of the rules and the amendments to those measures which the Members have before them shall be deemed adopted: H.R. 611, Haiti Economic and Infrastructure Reconstruction Act, as amended; H.R. 1476, Eisenhower Exchange Fellowship Program Trust Fund Enhancement Act of 2005, as amended; H.R. 1996, Coral Reef and Coastal Marine Conservation Act of 2005; H.R. 5805, North Korea Non-proliferation Act of 2006, as amended; H. Res. 415, Expressing the sense of the House of Representatives that the Socialist Republic of Vietnam needs to do more to resolve claims for confiscated real and personal property, as amended; H. Res. 622, to recognize and honor the Filipino World War II veterans, as amended; H. Res. 723, Calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, as amended; H. Res. 759, Expressing the sense of the House of Representatives that the government of Japan should formally acknowledge and accept responsibility for its sexual enslavement of young women, as amended; H. Res. 940, Recognizing the 185th anniversary of the independence of Peru, as amended; H. Res. 942, Recognizing the centennial anniversary of the Iranian constitution of 1906; H. Res. 965, Commending the people of Montenegro on the conduct of the

referendum on independence; H. Res. 976, Condemning human rights abuses by the government of the Islamic Republic of Iran; H. Res. 992, Urging the President to appoint a presidential special envoy for Sudan, as amended; H. Con. Res. 317, Requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day; H. Con. Res. 415, Condemning the repression of the Iranian Baha'i community and calling office review the emancipation of Iranian Baha'is; S. 2125, Democratic Republic of the Congo Relief, Recovery, Security and Democracy Promotion Act of 2006, as amended; and S. 3836, United States Advisory Commission on Public Diplomacy Reauthorization Act of 2006.

It is so ordered.

Without objection, the following measures will be reported to the House: H.R. 6060, State authorities reported favorably; H. Res. 985, Directing the Secretary of State to provide certain documents to the House, reported without recommendations.

So ordered.

[The information referred to follows:]

109TH CONGRESS
1ST SESSION

H. R. 611

To authorize the establishment of a program to provide economic and infrastructure reconstruction assistance to the Republic of Haiti, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2005

Mr. FOLEY (for himself, Mr. RANGEL, and Mr. SHAW) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize the establishment of a program to provide economic and infrastructure reconstruction assistance to the Republic of Haiti, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Haiti Economic and
5 Infrastructure Reconstruction Act”.

1 to identify ministries and agencies of the Government of
2 Haiti that require assistance concerning the reconstruc-
3 tion and development in Haiti with respect to—

4 (1) the economy, including a special emphasis
5 on the development of private and public domestic
6 and foreign business investment;

7 (2) the educational system, including a special
8 emphasis on the development of school facilities,
9 teacher training programs, and administration man-
10 agement programs;

11 (3) the judiciary and the rule of law;

12 (4) the healthcare system; and

13 (5) the infrastructure.

14 (d) RECRUITMENT OF INDIVIDUALS FOR PARTICIPA-
15 TION IN THE RECONSTRUCTION PROGRAM.—

16 (1) REQUIRED QUALIFICATIONS.—The Director
17 shall recruit individuals who are citizens of the
18 United States and who possess—

19 (A) at minimum, a four-year college or
20 university degree awarded from an accredited
21 college or university located in the United
22 States; or

23 (B) such skills or expertise as the Director
24 determines to be relevant or appropriate to
25 carry out the Reconstruction Program.

1 (2) HAITIAN-AMERICANS.—To the maximum
2 extent practicable, the Director shall recruit Hai-
3 tian-Americans.

4 (e) USE OF FUNDS.—The Director shall use funds
5 appropriated for the Reconstruction Program to—

6 (1) cover the costs of housing, in such amounts
7 as the Director determines to be appropriate, for in-
8 dividuals who are deployed to Haiti to carry out the
9 Reconstruction Program; and

10 (2) pay such individuals a salary, in such
11 amounts as the Director determines to be appro-
12 priate, taking into consideration the expertise of an
13 individual and the position in the Reconstruction
14 Program held by such individual.

15 (f) LENGTH OF DEPLOYMENT IN HAITI.—

16 (1) ONE YEAR.—Individuals recruited under
17 subsection (d) may be deployed to Haiti under the
18 Reconstruction Program for no longer than one
19 year.

20 (2) EXCEPTION.—If the Director determines
21 that an extended period of deployment for any indi-
22 vidual is appropriate, and such individual consents
23 to such extension, the Director may extend the de-
24 ployment of such individual for no longer than two
25 additional years.

1 (g) REPORTS.—

2 (1) FIRST INTERIM REPORT.—Not later than
3 six months after the date of the enactment of this
4 Act, the President shall submit to Congress a first
5 interim report regarding the Reconstruction Pro-
6 gram.

7 (2) SECOND INTERIM REPORT.—Not later than
8 12 months after the date of the enactment of this
9 Act, the President shall submit to Congress a second
10 interim report regarding the Reconstruction Pro-
11 gram.

12 (3) FINAL REPORT.—Not later than 18 months
13 after the date of the enactment of this Act, the
14 President shall submit to Congress a final report re-
15 garding the Reconstruction Program.

16 (4) CONTENTS.—The interim and final reports
17 shall include information relating to the following:

18 (A) A description and explanation of the
19 process of recruitment of individuals for partici-
20 pation in the Reconstruction Program, includ-
21 ing a description and explanation of—

22 (i) the selection criteria used; and

23 (ii) any incentives offered and the cost
24 of such incentives.

1 (B) The number of individuals recruited
2 and the ministry or agency and the locality in
3 which each individual is placed.

4 (C) The potential for expansion of the Re-
5 construction Program.

6 (h) INFRASTRUCTURE DEFINED.—In this section,
7 the term “infrastructure” means a road, highway, bridge,
8 tunnel, airport, mass transportation vehicle or system,
9 intermodal transportation facility, waterway, commercial
10 port, drinking or waste water treatment facility, solid
11 waste disposal facility, pollution control system, and gas,
12 electricity, and oil utilities.

13 (i) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the President to carry
15 out this section such sums as may be necessary for each
16 of the fiscal years 2006 through 2011. It is the sense of
17 Congress that at least \$3,000,000 should be made avail-
18 able for each of those fiscal years to carry out this section.

19 **SEC. 3. HEALTHCARE ASSISTANCE PROGRAM FOR HAITI.**

20 (a) HEALTHCARE PROGRAM AUTHORIZED.—The
21 President is authorized to establish a healthcare assistance
22 program for Haiti, to be known as the “Haiti Healthcare
23 Assistance Program” (in this section referred to as the
24 “Healthcare Program”), under which grants may be made
25 to qualified nongovernmental organizations to establish

1 programs in Haiti related to the prevention of infectious
2 diseases in Haiti.

3 (b) COORDINATION.—If the President establishes the
4 Healthcare Program under subsection (a), the President
5 shall seek to work with appropriate officials from the Gov-
6 ernment of Haiti and with appropriate individuals from
7 international financial institutions, civil society, non-
8 governmental organizations, and international organiza-
9 tions to work in coordination and cooperation with quali-
10 fied nongovernmental organizations.

11 (c) USE OF GRANT FUNDS.—A qualified nongovern-
12 mental organization that receives a grant through this sec-
13 tion shall use the grant to promulgate a comprehensive
14 and integrated strategy to combat and control infectious
15 diseases in Haiti through the establishment of a com-
16 prehensive healthcare infrastructure in Haiti that focuses
17 on education, prevention, care, treatment, support, capac-
18 ity development, and other related activities.

19 (d) SATISFACTION OF CRITERIA TO BE CONSIDERED
20 A QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The
21 Administrator of the United States Agency for Inter-
22 national Development shall promulgate criteria that shall
23 be satisfied by a nongovernmental organization in order
24 for such organization to be considered a qualified non-
25 governmental organization for purposes of this section.

1 (e) HEALTHCARE INFRASTRUCTURE DEFINED.—In
2 this section, the term “healthcare infrastructure” means
3 an inpatient or outpatient hospital, clinic, or medical facil-
4 ity and medical programs, including programs for hiring
5 physicians, nurses, or other medical personnel and pro-
6 grams for acquiring transportation and communications
7 systems for medical purposes.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the President to carry
10 out this section such sums as may be necessary for each
11 of the fiscal years 2006 through 2011. It is the sense of
12 Congress that at least \$3,000,000 should be made avail-
13 able for each of those fiscal years to carry out this section.

○

AMENDMENT TO H.R. 611
OFFERED BY MR. LANTOS OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 **TITLE I—HAITI ECONOMIC AND**
 2 **INFRASTRUCTURE RECON-**
 3 **STRUCTION ACT**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “Haiti Economic and
 6 Infrastructure Reconstruction Act”.

7 **SEC. 102. ECONOMIC AND INFRASTRUCTURE RECONSTRUC-**
 8 **TION PROGRAM FOR HAITI.**

9 (a) PROGRAM AUTHORIZED.—The President, acting
 10 through the Administrator of the United States Agency
 11 for International Development, is authorized to establish
 12 an economic and infrastructure reconstruction program
 13 for the Republic of Haiti, to be known as the “Haiti Eco-
 14 nomic and Infrastructure Reconstruction Program” (in
 15 this section referred to as the “Reconstruction Program”),
 16 under which individuals who participate in the Recon-
 17 struction Program will work with ministries and agencies
 18 of the Government of Haiti to assist efforts of the Govern-

1 ment of Haiti for economic and infrastructure reconstruc-
2 tion and development in Haiti.

3 (b) COORDINATION.—In carrying out the Reconstruc-
4 tion Program, the President should seek to work with ap-
5 propriate officials from the Government of Haiti to iden-
6 tify ministries and agencies of the Government of Haiti
7 that require assistance for economic and infrastructure re-
8 construction and development with respect to—

9 (1) the economy, including a special emphasis
10 on the development of private and public domestic
11 and foreign business investment;

12 (2) the education system, including a special
13 emphasis on the development of school facilities,
14 teacher training programs, and administration man-
15 agement programs;

16 (3) the judiciary and the rule of law;

17 (4) the healthcare system; and

18 (5) the infrastructure, including a special em-
19 phasis on commercial ports to ensure that such
20 ports are secure for ships to dock to load and unload
21 goods.

22 (c) IDENTIFICATION OF INDIVIDUALS FOR PARTICI-
23 PATION IN THE RECONSTRUCTION PROGRAM.—

1 (1) QUALIFICATIONS.—The President shall
2 identify individuals for participation in the Recon-
3 struction Program—

4 (A) who are—

5 (i) citizens of the United States or
6 lawfully admitted for permanent residence
7 in the United States; or

8 (ii) citizens of Haiti and residing in
9 Haiti; and

10 (B) who possess—

11 (i) at a minimum, a four-year college
12 or university degree awarded from an ac-
13 credited college or university located in the
14 United States or equivalent college or uni-
15 versity located outside the United States;
16 or

17 (ii) such skills or expertise as deter-
18 mined by the President to be relevant or
19 appropriate to carry out the Reconstruc-
20 tion Program.

21 (2) LIMITATION.—Not more than 30 percent of
22 the total number of individuals participating in the
23 Reconstruction Program may be individuals de-
24 scribed in paragraph (1)(A)(ii).

1 (3) HAITIAN-AMERICANS.—To the maximum
2 extent practicable, the President shall identify Hai-
3 tian-Americans who meet the qualifications of para-
4 graph (1) for participation in the Reconstruction
5 Program.

6 (d) LENGTH OF SERVICE IN RECONSTRUCTION PRO-
7 GRAM.—

8 (1) ONE YEAR.—Individuals may participate in
9 the Reconstruction Program for no longer than one
10 year.

11 (2) EXCEPTION.—If the President determines
12 that an extended period of participation in the Re-
13 construction Program for any individual is appro-
14 priate, and the individual consents to such extension,
15 the President may extend the participation of the in-
16 dividual for no longer than two additional years.

17 (e) NOTICE AND CONSULTATION.—

18 (1) NOTICE.—Not later than 180 days after the
19 date on which the President establishes the Recon-
20 struction Program under subsection (a), the Presi-
21 dent shall—

22 (A) provide notice thereof to Congress; and

23 (B) transmit to Congress a report on the
24 Reconstruction Program that contains a de-
25 scription of—

1 (i) the qualifications, demographics,
2 and other appropriate information relating
3 to individuals who are recruited to partici-
4 pate in the Reconstruction Program,
5 including—

6 (I) with respect to individuals de-
7 scribed in subsection (c)(1)(A)(i), the
8 regions of the United States from
9 which such individuals are being re-
10 cruited;

11 (II) the needs that the individ-
12 uals are expected to fill under the Re-
13 construction Program; and

14 (III) the level of education of the
15 individuals; and

16 (ii) the efficacy of the Reconstruction
17 Program.

18 (2) CONSULTATION.—The President shall con-
19 sult with Congress on a periodic basis on the imple-
20 mentation of the Reconstruction Program, including
21 as to—

22 (A) the selection of projects or activities
23 that individuals will be involved with under the
24 Reconstruction Program; and

1 **SEC. 103. HEALTHCARE ASSISTANCE PROGRAM FOR HAITI.**

2 (a) HEALTHCARE PROGRAM AUTHORIZED.—The
3 President is authorized to establish a healthcare assistance
4 program for Haiti, to be known as the “Haiti Healthcare
5 Assistance Program” (in this section referred to as the
6 “Healthcare Program”), under which funds may be pro-
7 vided, by grant or contract, to nongovernmental organiza-
8 tions that are working in coordination with the Haitian
9 Ministry of Health to establish programs in Haiti related
10 to the prevention of infectious diseases and delivery of
11 basic health care services.

12 (b) COORDINATION.—In carrying out the Healthcare
13 Program, the President should seek to work with appro-
14 priate officials from the Government of Haiti and with ap-
15 propriate individuals from international financial institu-
16 tions, civil society, nongovernmental organizations, and
17 international organizations to work in coordination and
18 cooperation with nongovernmental organizations that re-
19 ceive funds under this section.

20 (c) ELIGIBILITY OF NONGOVERNMENTAL ORGANIZA-
21 TIONS.—A nongovernmental organization may receive
22 funds under this section if the organization works through
23 the Administration’s comprehensive strategy to combat
24 and control infectious diseases and aid in the delivery of
25 basic health care in Haiti through a comprehensive
26 healthcare infrastructure that focuses on education, pre-

1 vention, care, treatment, support, capacity and develop-
2 ment, and other related activities.

3 (d) DEFINITION.—In this section, the term “com-
4 prehensive healthcare infrastructure” means an inpatient
5 hospital, clinic, or medical facility and medical programs,
6 including programs for hiring physicians, nurses, or other
7 medical personnel and programs for acquiring transpor-
8 tation and communications systems for medical purposes.

9 (e) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—There are authorized to be
11 appropriated for each of the fiscal years 2007
12 through 2012 such sums as may be necessary to
13 carry out this section.

14 (2) SENSE OF CONGRESS.—It is the sense of
15 Congress that at least \$3,000,000 should be made
16 available for each of the fiscal years described in
17 paragraph (1) to carry out this section.

18 **TITLE II—HENRY J. HYDE**
19 **SCHOLARSHIPS FOR HAITI**
20 **ACT OF 2006**

21 **SEC. 201. SHORT TITLE.**

22 This title may be cited as the “Henry J. Hyde Schol-
23 arships for Haiti Act of 2006”.

24 **SEC. 202. FINDINGS.**

25 Congress finds the following:

1 (1) It is in the national interest of the United
2 States to improve the range and quality of edu-
3 cational alternatives for Haitian students, further
4 the development of Haiti, and build enduring rela-
5 tionships between the people of the United States
6 and the people of Haiti by providing a stable source
7 of financial support to give talented students in
8 Haiti the opportunity to study in the United States,
9 promoting the goal of basic education for all in
10 Haiti, and supporting partnerships between colleges
11 and universities in the United States and institu-
12 tions of higher learning in Haiti.

13 (2) Providing scholarships to foreign students
14 to study in the United States and forging partner-
15 ships among institutions of higher learning have
16 proven to be an effective means of creating strong
17 bonds between the United States and the future
18 leadership of developing countries and assisting
19 those countries to further substantially their devel-
20 opment objectives.

21 (3) Talented students from families of limited
22 financial means in Haiti traditionally have few, if
23 any, opportunities to continue their education in
24 their own country and are less likely to pursue high-
25 er education in the United States.

1 (4) In 2003, 76 percent of the population in
2 Haiti earned less than the equivalent of \$2.00 per
3 day, and 56 percent of the population in the country
4 in the same year earned less than the equivalent of
5 \$1.00 per day.

6 (5) In 2003, the literacy rate of individuals in
7 Haiti who are older than 15 years of age was less
8 than 52 percent. The net primary school enrollment
9 rate was 68 percent, as compared to the average of
10 approximately 78 percent for other low income coun-
11 tries, such as Afghanistan and Guinea-Bissau.

12 (6) Women in Haiti are more likely to be ad-
13 versely affected by the dire economic and social con-
14 ditions in Haiti.

15 **SEC. 203. STATEMENT OF PURPOSES.**

16 The purposes of this title are—

17 (1) to establish an undergraduate scholarship
18 program which is designed to bring talented stu-
19 dents of limited financial means from Haiti to the
20 United States for study at United States institutions
21 of higher education—

22 (A) to improve the diversity and quality of
23 educational opportunities for such students;

24 (B) to assist the development efforts of
25 Haiti by providing training and educational as-

1 assistance to persons who can help address the
2 social and economic needs of Haiti;

3 (C) to build a well-educated middle-class in
4 Haiti which is capable and willing to provide
5 leadership in the public and private sectors to
6 help sustain the political and economic progress
7 that is sorely needed to confront the daunting
8 challenges of that country; and

9 (D) to promote positive and productive re-
10 lationships between the United States and
11 Haiti; and

12 (2) to promote the goal of basic education for
13 all and establish partnerships between colleges and
14 universities in the United States and institutions of
15 higher learning in Haiti by—

16 (A) improving the quality of primary, sec-
17 ondary, and tertiary education in Haiti;

18 (B) making such education more accessible
19 to a greater number of Haitians, particularly
20 girls and women;

21 (C) designing and supporting centers of
22 excellence for teacher training and other activi-
23 ties to enhance the pedagogical skills and mate-
24 rials of teachers;

1 (D) creating programs to strengthen the
2 administration and management of education in
3 Haiti;

4 (E) assisting in the development efforts of
5 Haiti by strengthening the capacity of Haitian
6 educational institutions to address the country's
7 social and economic challenges;

8 (F) improving the prospects for economic
9 growth and greater foreign investment by en-
10 hancing human capital in Haiti; and

11 (G) promoting positive relationships be-
12 tween the United States and Haiti through the
13 growth of professional partnerships among edu-
14 cators and educational institutions.

15 **SEC. 204. HENRY J. HYDE SCHOLARSHIPS FOR HAITI PRO-**
16 **GRAM.**

17 (a) PROGRAM AUTHORIZED.—

18 (1) IN GENERAL.—The President, acting
19 through the Administrator of the United States
20 Agency for International Development, is authorized
21 to establish a scholarship program for the Republic
22 of Haiti, to be known as the “Henry J. Hyde Schol-
23 arships for Haiti Program” (in this section referred
24 to as the “Scholarship Program”), under which
25 scholarships (including partial assistance) are pro-

1 vided for undergraduate study at United States in-
2 stitutions of higher education (as such term is de-
3 fined in section 101 of the Higher Education Act of
4 1965 (20 U.S.C. 1001)) to citizens and nationals of
5 Haiti who have completed their secondary education
6 with distinction and who would not otherwise have
7 the opportunity to study in the United States due to
8 financial constraints.

9 (2) PREFERENCE.—The President may give
10 some preference under the Scholarship Program to
11 applicants seeking to complete associate degrees in
12 the United States.

13 (b) FORM OF SCHOLARSHIP.—To encourage Haitian
14 students to use their training and education for the benefit
15 of Haiti, each such student who receives a scholarship
16 under the Scholarship Program shall be subject to the
17 two-year foreign residency requirement for Department of
18 State-sponsored nonimmigrant visas issued in accordance
19 with subparagraph (J) of section 101(a)(15) of the Immi-
20 gration and Nationality Act (8 U.S.C. 1101(a)(15)).

21 (c) SCHOLARSHIP GUIDELINES.—The Scholarship
22 Program shall be carried out in accordance with the perti-
23 nent guidelines of section 604 of the Foreign Relations
24 Authorization Act, Fiscal Years 1986 and 1987 (22
25 U.S.C. 4704; Public Law 99–93; relating to guidelines for

1 United States scholarship program for developing coun-
2 tries).

3 (e) GENERAL AUTHORITIES.—

4 (1) PUBLIC AND PRIVATE SECTOR CONTRIBU-
5 TIONS.—

6 (A) IN GENERAL.—The President shall en-
7 courage the public and private sectors, particu-
8 larly the Haitian-American community, in the
9 United States and in Haiti to contribute to the
10 costs of the Scholarship Program.

11 (B) MATCHING PROGRAM.—In carrying
12 out subparagraph (A), Congress strongly en-
13 courages the President to design a matching
14 program in which contributions made by the
15 public and private sectors of the United States
16 and Haiti are matched by amounts made avail-
17 able to carry out the Scholarship Program
18 under this section. Not more than 25 percent of
19 amounts made available to carry out the Schol-
20 arship Program may be dedicated to the match-
21 ing program.

22 (2) UTILIZATION OF RETURNING SCHOLARSHIP
23 RECIPIENTS.—The President should seek to engage
24 the private sector of Haiti and international private
25 enterprises that are conducting business in Haiti to

1 maximize the opportunities for productive contribu-
2 tions to the development of Haiti by returning reci-
3 pients under the Scholarship Program.

4 (3) DELIVERY OF ASSISTANCE THROUGH THE
5 COOPERATIVE ASSOCIATION OF STATES FOR SCHOL-
6 ARSHIPS.—It is the sense of Congress that the
7 President should carry out the purposes of the
8 Scholarship Program through existing United States
9 scholarship programs, such as the Cooperative Asso-
10 ciation of States for Scholarships program.

11 **SEC. 205. BASIC EDUCATION AND UNIVERSITY PARTNER-**
12 **SHIP PROGRAMS FOR HAITI.**

13 The President, acting through the Administrator of
14 the United States Agency for International Development,
15 is authorized to—

16 (1) provide assistance for literacy and other
17 basic education programs in Haiti; and

18 (2) support partnerships between colleges and
19 universities in the United States and institutions of
20 higher learning in Haiti so as to improve the range
21 and quality of educational alternatives for Haitian
22 students, further the development of Haiti, and
23 build enduring relationships between the people of
24 the United States and the people of Haiti.

1 **SEC. 206. SENSE OF CONGRESS REGARDING THE PEACE**
2 **CORPS.**

3 It is the sense of Congress that the President, acting
4 through the Director of the Peace Corps, should, as soon
5 as practicable, make available again to the Government
6 of Haiti qualified Peace Corps volunteers who would serve
7 under hardship conditions to—

8 (1) assist the people of Haiti to improve literacy
9 rates and meet other basic needs so that they can
10 become economically self-sufficient; and

11 (2) promote mutual understanding between the
12 people of the United States and the people of Haiti.

13 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) HENRY J. HYDE SCHOLARSHIPS FOR HAITI PRO-
15 GRAM.—There are authorized to be appropriated to the
16 President to carry out section 204 \$2,500,000 for each
17 of fiscal years 2007, 2008, and 2009.

18 (c) BASIC EDUCATION AND UNIVERSITY PARTNER-
19 SHIP PROGRAMS FOR HAITI.—Of the amounts authorized
20 to be appropriated to carry out chapter 1 of part I of the
21 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.;
22 relating to development assistance) for each of fiscal years
23 2007, 2008, and 2009, and which are not allocated for
24 assistance for countries in Latin America and the
25 Caribbean—

1 (1) not less than \$3,000,000 for each such fis-
2 cal year is authorized to be made available to carry
3 out section 205(1); and

4 (2) \$500,000 for each such fiscal year is au-
5 thorized to be made available to carry out section
6 205(2).

7 (b) ADDITIONAL AUTHORITIES.—Amounts made
8 available under this section are—

9 (1) authorized to remain available until ex-
10 pended; and

11 (2) in addition to amounts otherwise available
12 for such purposes.

109TH CONGRESS
1ST SESSION

H. R. 1476

To amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2005

Mr. TIAHRT introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Eisenhower Exchange
5 Fellowship Program Trust Fund Enhancement Act of
6 2005”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) 2003 marked the 50th anniversary of the
2 establishment of the Eisenhower Exchange Fellow-
3 ship program.

4 (2) The Eisenhower Exchange Fellowship pro-
5 gram was founded to honor the 34th President,
6 Dwight D. Eisenhower, for his character, courage,
7 patriotism, and commitment to international under-
8 standing through exchange.

9 (3) Over the past 50 years the Eisenhower Ex-
10 change Fellowship program has exposed thousands
11 of leaders throughout the world to the values of
12 American political institutions, private sector com-
13 merce, educational opportunities, and cultural and
14 societal traditions.

15 (4) Eisenhower Exchange Fellows worldwide
16 have assumed positions of leadership in their respec-
17 tive countries, whether in the fields of government,
18 industry, or civil society, and they retain links to the
19 United States through their membership in Eisen-
20 hower Exchange Fellowships.

21 (5) The Eisenhower Exchange Fellowship is de-
22 veloping a new program to broaden its geographic
23 base to emphasize the relationship of the United
24 States with the Arab world.

1 (6) Congress has previously recognized the im-
2 portance of the work of the Eisenhower Exchange
3 Fellowship program when it granted the program a
4 Federal Charter under section 3(a) of Public Law
5 101-454.

6 (7) The Eisenhower Exchange Fellowship is one
7 of the best examples of public and private partner-
8 ships.

9 (8) Additional resources are required to achieve
10 the goals and objectives of the Eisenhower Exchange
11 Fellowship program in the 21st century.

12 **SEC. 3. AUTHORIZATION OF ONE-TIME ADDITIONAL APPRO-**
13 **RIATION FOR THE EISENHOWER EXCHANGE**
14 **FELLOWSHIP PROGRAM TRUST FUND.**

15 Section 5 of the Eisenhower Exchange Fellowship
16 Act of 1990 (Public Law 101-454; 20 U.S.C. 5204) is
17 amended—

18 (1) by striking “To provide” and inserting “(a)
19 INITIAL ENDOWMENT.—To provide”; and

20 (2) by adding at the end the following new sub-
21 section:

22 “(b) ENHANCED ENDOWMENT.—In addition to the
23 amount initially appropriated pursuant to the authoriza-
24 tion of appropriations under subsection (a), there is au-

- 1 thORIZED to be appropriated to the Eisenhower Exchange
- 2 Fellowship Program Trust Fund \$12,500,000.”.

○

AMENDMENT TO H.R. 1476
OFFERED BY MR. HYDE OF ILLINOIS

In section 2, strike paragraphs (1), (6), and (8), and redesignate paragraphs (2), (3), (4), (5), and (7) as paragraphs (1), (2), (3), (4), and (5), respectively.

Page 4, line 2, strike “12,500,000” and insert “7,000,000”.

109TH CONGRESS
1ST SESSION

H. R. 1996

To amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries that take action to protect critical coral reef habitats.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

Mr. KIRK (for himself, Mr. HASTINGS of Florida, Mr. SAXTON, Ms. BORDALLO, Mr. EHLERS, Mr. MEEKS of New York, Mr. WELLER, and Mr. OWENS) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries that take action to protect critical coral reef habitats.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEBT REDUCTION FOR DEVELOPING COUN-**
4 **TRIES WITH CORAL REEFS AND OTHER**
5 **COASTAL MARINE RESOURCES.**

6 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
7 et seq.) is amended by adding at the end the following:

1 **“PART VI—DEBT REDUCTION FOR DEVELOPING**
2 **COUNTRIES WITH CORAL REEFS AND OTHER**
3 **COASTAL MARINE RESOURCES**

4 **“SEC. 901. SHORT TITLE.**

5 “This part may be cited as the ‘Coral Reef and
6 Coastal Marine Conservation Act of 2005’.

7 **“SEC. 902. FINDINGS AND PURPOSES.**

8 “(a) FINDINGS.—The Congress finds the following:

9 “(1) It is the established policy of the United
10 States to support and seek the protection and res-
11 toration of natural coastal marine areas, in par-
12 ticular coral reefs and other critically imperiled
13 coastal marine resources around the world, as dem-
14 onstrated by the establishment of the United States
15 Government’s Coral Reef Task Force under Execu-
16 tive Order 13089 (June 11, 1998) and by the em-
17 phasis given to coral reefs at the Conference on
18 Oceans held in Monterey, California.

19 “(2) Coral reefs and other coastal marine re-
20 sources provide a wide range of benefits to mankind
21 by—

22 “(A) harboring a major share of the
23 world’s marine biological diversity, and by act-
24 ing as seed-grounds and nurseries for many
25 deep-sea species; and

1 “(B) serving as the basis for major activi-
2 ties of critical economic, social, and cultural im-
3 portance, including fishing, pharmaceutical re-
4 search, recreation, tourism, and the natural pu-
5 rification and recharge of waters.

6 “(3) International organizations and assistance
7 programs to conserve coral reefs and other coastal
8 marine resources have proliferated in recent years,
9 but the rapid destruction of these resources nonethe-
10 less continues in many countries.

11 “(4) Poverty and economic pressures on many
12 developing countries, including the burden of official
13 debts, has promoted inefficient, unsustainable over-
14 exploitation of coral reefs and other coastal marine
15 resources, while also denying necessary funds to pro-
16 tection efforts.

17 “(5) Reduction of official, government-to-gov-
18 ernment debts can help reduce economic pressures
19 for over-exploitation of coral reefs and other coastal
20 marine resources and can mobilize additional re-
21 sources for their protection.

22 “(b) PURPOSES.—The purposes of this part are—

23 “(1) to recognize the values received by United
24 States citizens from protection of coral reefs and
25 other coastal marine resources;

1 “(2) to facilitate greater protection of remain-
2 ing coral reefs and other coastal marine resources,
3 and the recovery of damaged areas, by providing for
4 the alleviation of debt in countries where these re-
5 sources are located, thus allowing for the use of ad-
6 ditional resources to protect and restore such coral
7 reefs and other coastal marine resources, and to re-
8 duce economic pressures that have led to
9 unsustainable exploitation; and

10 “(3) to ensure that resources freed from debt in
11 such countries are rechanneled to protection of coral
12 reefs and other coastal marine resources.

13 **“SEC. 903. DEFINITIONS.**

14 “In this part:

15 “(1) ADMINISTERING BODY.—The term ‘admin-
16 istering body’ means the entity provided for in sec-
17 tion 908(e).

18 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term ‘appropriate congressional com-
20 mittees’ means—

21 “(A) the Committee on International Rela-
22 tions and the Committee on Appropriations of
23 the House of Representatives; and

1 “(B) the Committee on Foreign Relations
2 and the Committee on Appropriations of the
3 Senate.

4 “(3) BENEFICIARY COUNTRY.—The term ‘bene-
5 ficiary country’ means an eligible country with re-
6 spect to which the authority of section 906(a) or
7 paragraph (1) or (2) of section 907(a) of this part
8 is exercised.

9 “(4) BOARD.—The term ‘Board’ means the
10 board referred to in section 910.

11 “(5) CORAL.—The term ‘coral’ means species
12 of the phylum Cnidaria, including—

13 “(A) all species of the orders Antipatharia
14 (black corals), Scleractinia (stony corals),
15 Aleyonacea (soft corals), Gorgonacea (horny
16 corals), Stolonifera (organpipe corals and oth-
17 ers), and Coenothecalia (blue coral), of the class
18 Anthozoa; and

19 “(B) all species of the order
20 Hydrocorallina (fire corals and hydrocorals) of
21 the class Hydrozoa.

22 “(6) CORAL REEF.—The term ‘coral reef’
23 means any reef or shoal composed primarily of cor-
24 als.

1 “(7) DEVELOPING COUNTRY WITH A CORAL
2 REEF OR OTHER COASTAL MARINE RESOURCE.—The
3 term ‘developing country with a coral reef or other
4 coastal marine resource’ means—

5 “(A)(i) a country that has a per capita in-
6 come of \$725 or less in 1994 United States dol-
7 lars (commonly referred to as ‘low-income coun-
8 try’), as determined and adjusted on an annual
9 basis by the International Bank for Reconstruc-
10 tion and Development in its World Development
11 Report; or

12 “(ii) a country that has a per capita in-
13 come of more than \$725 but less than \$8,956
14 in 1994 United States dollars (commonly re-
15 ferred to as ‘middle-income country’), as deter-
16 mined and adjusted on an annual basis by the
17 International Bank for Reconstruction and De-
18 velopment in its World Development Report;
19 and

20 “(B) a country that contains at least one
21 coral reef or other coastal marine resource that
22 is of conservation concern.

23 “(8) ELIGIBLE COUNTRY.—The term ‘eligible
24 country’ means a country designated by the Presi-
25 dent in accordance with section 905.

1 “(9) CORAL REEF AND OTHER COASTAL MA-
2 RINE RESOURCES AGREEMENT.—The term ‘Coral
3 Reef and Other Coastal Marine Resources Agree-
4 ment’ or ‘Agreement’ means an Coral Reef and
5 Other Coastal Marine Resources Agreement as pro-
6 vided for in section 908.

7 “(10) CORAL REEF AND OTHER COASTAL MA-
8 RINE RESOURCES FACILITY.—The term ‘Coral Reef
9 and Other Coastal Marine Resources Facility’ or
10 ‘Facility’ means the Coral Reef and Other Coastal
11 Marine Resources Facility established in the Depart-
12 ment of the Treasury by section 904.

13 “(11) CORAL REEF AND OTHER COASTAL MA-
14 RINE RESOURCES FUND.—The term ‘Coral Reef and
15 Other Coastal Marine Resources Fund’ or ‘Fund’
16 means a Coral Reef and Other Coastal Marine Re-
17 sources Fund provided for in section 909.

18 **“SEC. 904. ESTABLISHMENT OF THE FACILITY.**

19 “There is established in the Department of the
20 Treasury an entity to be known as the ‘Coral Reef and
21 Other Coastal Marine Resources Facility’ for the purpose
22 of providing for the administration of debt reduction in
23 accordance with this part.

1 **“SEC. 905. ELIGIBILITY FOR BENEFITS.**

2 “(a) IN GENERAL.—To be eligible for benefits from
3 the Facility under this part, a country shall be a devel-
4 oping country with a coral reef or other coastal marine
5 resource—

6 “(1) the government of which meets the re-
7 quirements applicable to Latin American or Carib-
8 bean countries under paragraphs (1) through (5)
9 and (7) of section 703(a) of this Act; and

10 “(2) that has established investment reforms,
11 as evidenced by the conclusion of a bilateral invest-
12 ment treaty with the United States, implementation
13 of an investment sector loan with the Inter-Amer-
14 ican Development Bank, World Bank-supported in-
15 vestment reforms, or other measures, as appropriate.

16 “(b) ELIGIBILITY DETERMINATIONS.—

17 “(1) IN GENERAL.—Consistent with subsection
18 (a), the President shall determine whether a country
19 is eligible to receive benefits under this part.

20 “(2) CONGRESSIONAL NOTIFICATION.—The
21 President shall notify the appropriate congressional
22 committees of the intention of the President to des-
23 ignate a country as an eligible country at least 15
24 days in advance of any formal determination.

1 **“SEC. 906. REDUCTION OF DEBT OWED TO THE UNITED**
2 **STATES AS A RESULT OF CONCESSIONAL**
3 **LOANS UNDER THIS ACT.**

4 “(a) **AUTHORITY TO REDUCE DEBT.**—

5 “(1) **AUTHORITY.**—The President may reduce
6 the amount owed to the United States (or any agen-
7 cy of the United States) that is outstanding as of
8 January 1, 2005, as a result of concessional loans
9 made to an eligible country by the United States
10 under this Act or predecessor foreign economic as-
11 sistance legislation.

12 “(2) **AUTHORIZATION OF APPROPRIATIONS.**—
13 For the cost (as defined in section 502(5) of the
14 Federal Credit Reform Act of 1990) for the reduc-
15 tion of any debt pursuant to this section, there are
16 authorized to be appropriated to the President
17 \$10,000,000 for each of the fiscal years 2006
18 through 2009.

19 “(3) **CERTAIN PROHIBITIONS INAPPLICABLE.**—

20 “(A) **IN GENERAL.**—A reduction of debt
21 pursuant to this section shall not be considered
22 assistance for purposes of any provision of law
23 limiting assistance to a country.

24 “(B) **ADDITIONAL REQUIREMENT.**—The
25 authority of this section may be exercised not-
26 withstanding section 620(r) of this Act or sec-

1 tion 321 of the International Development and
2 Food Assistance Act of 1975.

3 “(b) IMPLEMENTATION OF DEBT REDUCTION.—

4 “(1) IN GENERAL.—Any debt reduction pursu-
5 ant to subsection (a) shall be accomplished at the di-
6 rection of the Facility by the exchange of a new obli-
7 gation for obligations of the type referred to in sub-
8 section (a) outstanding as of the date specified in
9 subsection (a)(1).

10 “(2) EXCHANGE OF OBLIGATIONS.—

11 “(A) IN GENERAL.—The Facility shall no-
12 tify the United States Agency for International
13 Development of an agreement entered into
14 under paragraph (1) with an eligible country to
15 exchange a new obligation for outstanding obli-
16 gations.

17 “(B) ADDITIONAL REQUIREMENT.—At the
18 direction of the Facility, the old obligations that
19 are the subject of the agreement shall be can-
20 celed and a new debt obligation for the country
21 shall be established relating to the agreement,
22 and the United States Agency for International
23 Development shall make an adjustment in its
24 accounts to reflect the debt reduction.

1 “(c) ADDITIONAL TERMS AND CONDITIONS.—The
2 following additional terms and conditions shall apply to
3 the reduction of debt under subsection (a)(1) in the same
4 manner as such terms and conditions apply to the reduc-
5 tion of debt under section 704(a)(1) of this Act:

6 “(1) The provisions relating to repayment of
7 principal under section 705 of this Act.

8 “(2) The provisions relating to interest on new
9 obligations under section 706 of this Act.

10 **“SEC. 907. AUTHORITY TO ENGAGE IN DEBT-FOR-NATURE**
11 **SWAPS AND DEBT BUYBACKS.**

12 “(a) LOANS AND CREDITS ELIGIBLE FOR SALE, RE-
13 DUCATION, OR CANCELLATION.—

14 “(1) DEBT-FOR-NATURE SWAPS.—

15 “(A) IN GENERAL.—Notwithstanding any
16 other provision of law, the President may, in
17 accordance with this section, sell to any eligible
18 purchaser described in subparagraph (B) any
19 concessional loans described in section
20 906(a)(1), or on receipt of payment from an eli-
21 gible purchaser described in subparagraph (B),
22 reduce or cancel such loans or portion thereof,
23 only for the purpose of facilitating a debt-for-
24 nature swap to support eligible activities de-
25 scribed in section 908(d).

1 “(B) ELIGIBLE PURCHASER DESCRIBED.—
2 A loan may be sold, reduced, or canceled under
3 subparagraph (A) only to a purchaser who pre-
4 sents plans satisfactory to the President for
5 using the loan for the purpose of engaging in
6 debt-for-nature swaps to support eligible activi-
7 ties described in section 908(d).

8 “(C) CONSULTATION REQUIREMENT.—Be-
9 fore the sale under subparagraph (A) to any eli-
10 gible purchaser described in subparagraph (B),
11 or any reduction or cancellation under such
12 subparagraph (A), of any loan made to an eligi-
13 ble country, the President shall consult with the
14 country concerning the amount of loans to be
15 sold, reduced, or canceled and their uses for
16 debt-for-nature swaps to support eligible activi-
17 ties described in section 908(d).

18 “(D) AUTHORIZATION OF APPROPRIA-
19 TIONS.—For the cost (as defined in section
20 502(5) of the Federal Credit Reform Act of
21 1990) for the reduction of any debt pursuant to
22 subparagraph (A), amounts authorized to be
23 appropriated under section 906(a)(2) shall be
24 made available for such reduction of debt pur-
25 suant to subparagraph (A).

1 “(2) DEBT BUYBACKS.—Notwithstanding any
2 other provision of law, the President may, in accord-
3 ance with this section, sell to any eligible country
4 any concessional loans described in section
5 906(a)(1), or on receipt of payment from an eligible
6 purchaser described in paragraph (1)(B), reduce or
7 cancel such loans or portion thereof, only for the
8 purpose of facilitating a debt buyback by an eligible
9 country of its own qualified debt, only if the eligible
10 country uses an additional amount of the local cur-
11 rency of the eligible country, equal to not less than
12 the lessor of 40 percent of the price paid for such
13 debt by such eligible country, or the difference be-
14 tween the price paid for such debt and the face value
15 of such debt, to support eligible activities described
16 in section 908(d).

17 “(3) LIMITATION.—The authority provided by
18 paragraphs (1) and (2) shall be available only to the
19 extent that appropriations for the cost (as defined in
20 section 502(5) of the Federal Credit Reform Act of
21 1990) of the modification of any debt pursuant to
22 such paragraphs are made in advance.

23 “(4) TERMS AND CONDITIONS.—Notwith-
24 standing any other provision of law, the President
25 shall, in accordance with this section, establish the

1 terms and conditions under which loans may be sold,
2 reduced, or canceled pursuant to this section.

3 “(5) ADMINISTRATION.—

4 “(A) IN GENERAL.—The Facility shall no-
5 tify the Administrator of the United States
6 Agency for International Development of eligi-
7 ble purchasers described in paragraph (1)(B)
8 that the President has determined to be eligible
9 under paragraph (1), and shall direct such
10 agency to carry out the sale, reduction, or can-
11 cellation of a loan pursuant to such paragraph.

12 “(B) ADDITIONAL REQUIREMENT.—Such
13 agency shall make an adjustment in its ac-
14 counts to reflect the sale, reduction, or cancella-
15 tion of such a loan.

16 “(b) DEPOSIT OF PROCEEDS.—The proceeds from
17 the sale, reduction, or cancellation of any loan sold, re-
18 duced or canceled pursuant to this section shall be depos-
19 ited in the United States Government account or accounts
20 established for the repayment of such loan.

21 **“SEC. 908. CORAL REEF AND OTHER COASTAL MARINE RE-
22 SOURCES AGREEMENT.**

23 “(a) AUTHORITY.—

24 “(1) IN GENERAL.—The Secretary of State is
25 authorized, in consultation with other appropriate

1 officials of the Federal Government, to enter into a
2 Coral Reef and Other Coastal Marine Resources
3 Agreement with any eligible country concerning the
4 operation and use of the Fund for that country.

5 “(2) CONSULTATION.—In the negotiation of
6 such an Agreement, the Secretary shall consult with
7 the Board in accordance with section 910.

8 “(b) CONTENTS OF AGREEMENT.—The requirements
9 contained in section 708(b) of this Act (relating to con-
10 tents of an agreement) shall apply to an Agreement in
11 the same manner as such requirements apply to an Amer-
12 icas Framework Agreement.

13 “(c) ADMINISTERING BODY.—

14 “(1) IN GENERAL.—Amounts disbursed from
15 the Fund in each beneficiary country shall be admin-
16 istered by a body constituted under the laws of that
17 country.

18 “(2) COMPOSITION.—

19 “(A) IN GENERAL.—The administering
20 body shall consist of—

21 “(i) one or more individuals appointed
22 by the United States Government;

23 “(ii) one or more individuals ap-
24 pointed by the government of the bene-
25 ficiary country; and

1 “(iii) individuals who represent a
2 broad range of—

3 “(I) environmental non-govern-
4 mental organizations of, or active in,
5 the beneficiary country;

6 “(II) local community develop-
7 ment non-governmental organizations
8 of the beneficiary country; and

9 “(III) scientific, academic, or for-
10 estry organizations of the beneficiary
11 country.

12 “(B) ADDITIONAL REQUIREMENT.—A ma-
13 jority of the members of the administering body
14 shall be individuals described in subparagraph
15 (A)(iii).

16 “(3) RESPONSIBILITIES.—The requirements
17 contained in section 708(c)(3) of this Act (relating
18 to responsibilities of the administering body) shall
19 apply to an administering body described in para-
20 graph (1) in the same manner as such requirements
21 apply to an administering body described in section
22 708(c)(1) of this Act.

23 “(d) ELIGIBLE ACTIVITIES.—Amounts deposited in a
24 Fund shall be used only to provide grants to conserve,
25 maintain, and restore the coral reefs and other coastal ma-

1 rine resources in the beneficiary country, through one or
2 more of the following activities:

3 “(1) Establishment, restoration, protection, and
4 maintenance of parks, protected areas, and reserves.

5 “(2) Development and implementation of sci-
6 entifically sound systems of natural resource man-
7 agement, including ‘ridgeline to reef’ and ecosystem
8 management practices.

9 “(3) Training programs to increase the sci-
10 entific, technical, and managerial capacities of indi-
11 viduals and organizations involved in conservation
12 efforts.

13 “(4) Restoration, protection, or sustainable use
14 of diverse marine animal and plant species.

15 “(5) Development and support of the livelihoods
16 of individuals living near a coral reef or other coast-
17 al marine resource, in a manner consistent with pro-
18 tecting those resources.

19 “(e) GRANT RECIPIENTS.—

20 “(1) IN GENERAL.—Grants made from a Fund
21 shall be made to—

22 “(A) nongovernmental environmental, for-
23 estry, conservation, and indigenous peoples or-
24 ganizations of, or active in, the beneficiary
25 country;

1 “(B) other appropriate local or regional
2 entities of, or active in, the beneficiary country;
3 or

4 “(C) in exceptional circumstances, the gov-
5 ernment of the beneficiary country.

6 “(2) PRIORITY.—In providing grants under
7 paragraph (1), priority shall be given to projects
8 that are run by nongovernmental organizations and
9 other private entities and that involve local commu-
10 nities in their planning and execution.

11 “(f) REVIEW OF LARGER GRANTS.—Any grant of
12 more than \$100,000 from a Fund shall be subject to veto
13 by the Government of the United States or the govern-
14 ment of the beneficiary country.

15 “(g) ELIGIBILITY CRITERIA.—In the event that a
16 country ceases to meet the eligibility requirements set
17 forth in section 905(a), as determined by the President
18 pursuant to section 905(b), then grants from the Fund
19 for that country may only be made to nongovernmental
20 organizations until such time as the President determines
21 that such country meets the eligibility requirements set
22 forth in section 905(a).

1 **“SEC. 909. CORAL REEF AND OTHER COASTAL MARINE RE-**
2 **SOURCES FUND.**

3 “(a) ESTABLISHMENT.—Each beneficiary country
4 that enters into a Coral Reef and Other Coastal Marine
5 Resources Agreement under section 908 shall be required
6 to establish a Coral Reef and Other Coastal Marine Re-
7 sources Fund to receive payments of interest on new obli-
8 gations undertaken by the beneficiary country under this
9 part.

10 “(b) REQUIREMENTS RELATING TO OPERATION OF
11 FUND.—The following terms and conditions shall apply
12 to the Fund in the same manner as such terms as condi-
13 tions apply to an Enterprise for the Americas Fund under
14 section 707 of this Act:

15 “(1) The provision relating to deposits under
16 subsection (b) of such section.

17 “(2) The provision relating to investments
18 under subsection (c) of such section.

19 “(3) The provision relating to disbursements
20 under subsection (d) of such section.

21 **“SEC. 910. BOARD.**

22 “(a) ENTERPRISE FOR THE AMERICAS BOARD.—The
23 Enterprise for the Americas Board established under sec-
24 tion 610(a) of the Agricultural Trade Development and
25 Assistance Act of 1954 (7 U.S.C. 1738i(a)) shall, in addi-
26 tion to carrying out the responsibilities of the Board under

1 section 610(c) of such Act, carry out the duties described
2 in subsection (c) of this section for the purposes of this
3 part.

4 “(b) MEMBERSHIP.—

5 “(1) INITIAL MEMBERSHIP.—Of the six mem-
6 bers of the Enterprise for the Americas Board ap-
7 pointed by the President under section 610(b)(1)(A)
8 of the Agricultural Trade Development and Assist-
9 ance Act of 1954 (7 U.S.C. 1738i(b)(1)(A)), at least
10 one shall be a representative of the Department of
11 State, at least one shall be a representative of the
12 Department of the Treasury, and at least one shall
13 be a representative of the Inter-American Founda-
14 tion.

15 “(2) ADDITIONAL MEMBERSHIP.—The Enter-
16 prise for the Americas Board shall be composed of
17 an additional four members appointed by the Presi-
18 dent as follows:

19 “(A) Two representatives from the United
20 States Government, including a representative
21 of the National Oceanographic and Atmospheric
22 Administration (NOAA) and a representative of
23 the United States Geological Survey (USGS).

24 “(B) Two representatives from private
25 nongovernmental environmental, scientific, for-

1 etry, or academic organizations with experience
2 and expertise in preservation, maintenance, sus-
3 tainable uses, and restoration of coral reefs and
4 other coastal marine resources.

5 “(e) DUTIES.—The duties described in this sub-
6 section are as follows:

7 “(1) Advise the Secretary of State on the nego-
8 tiations of Coral Reef and Other Coastal Marine Re-
9 sources Agreements.

10 “(2) Ensure, in consultation with—

11 “(A) the government of the beneficiary
12 country;

13 “(B) nongovernmental organizations of the
14 beneficiary country;

15 “(C) nongovernmental organizations of the
16 region (if appropriate);

17 “(D) environmental, scientific, oceano-
18 graphic, and academic leaders of the beneficiary
19 country; and

20 “(E) environmental, scientific, oceano-
21 graphic, and academic leaders of the region (as
22 appropriate),

23 that a suitable administering body is identified for
24 each Fund.

1 “(3) Review the programs, operations, and fis-
2 cal audits of each administering body.

3 **“SEC. 911. CONSULTATIONS WITH THE CONGRESS.**

4 “The President shall consult with the appropriate
5 congressional committees on a periodic basis to review the
6 operation of the Facility under this part and the eligibility
7 of countries for benefits from the Facility under this part.

8 **“SEC. 912. ANNUAL REPORTS TO THE CONGRESS.**

9 “(a) IN GENERAL.—Not later than December 31 of
10 each year, the President shall prepare and transmit to the
11 Congress an annual report concerning the operation of the
12 Facility for the prior fiscal year. Such report shall
13 include—

14 “(1) a description of the activities undertaken
15 by the Facility during the previous fiscal year;

16 “(2) a description of any Agreement entered
17 into under this part;

18 “(3) a report on any Funds that have been es-
19 tablished under this part and on the operations of
20 such Funds; and

21 “(4) a description of any grants that have been
22 provided by administering bodies pursuant to Agree-
23 ments under this part.

24 “(b) SUPPLEMENTAL VIEWS IN ANNUAL REPORT.—
25 Not later than December 15 of each year, each member

1 of the Board shall be entitled to receive a copy of the re-
2 port required under subsection (a). Each member of the
3 Board may prepare and submit supplemental views to the
4 President on the implementation of this part by December
5 31 for inclusion in the annual report when it is trans-
6 mitted to Congress pursuant to this section.”.

○

109TH CONGRESS
2D SESSION

H. R. 5805

To promote nuclear nonproliferation in North Korea.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2006

Mr. ROYCE (for himself, Mr. SHERMAN, Ms. ROS-LEHTINEN, Mr. MCCOTTER, Mr. CARDOZA, Ms. WATSON, Mr. BURTON of Indiana, Ms. MCCOLLUM of Minnesota, Mr. ISSA, and Mr. BERMAN) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote nuclear nonproliferation in North Korea.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “North Korea Non-
5 proliferation Act of 2006”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 In view of North Korea’s manifest determination to
8 proliferate missiles, nuclear weapons, and other weapons
9 of mass destruction in violation of international norms and

1 expectations, it should be the policy of the United States
2 to impose sanctions on persons who transfer such weap-
3 ons, and goods and technology related to such weapons,
4 to and from North Korea in the same manner as persons
5 who transfer such items to and from Iran and Syria cur-
6 rently are sanctioned under United States law.

7 **SEC. 3. AMENDMENTS TO IRAN AND SYRIA NONPROLIFERA-**
8 **TION ACT.**

9 (a) REPORTING REQUIREMENTS.—Section 2 of the
10 Iran and Syria Nonproliferation Act (Public Law 106–
11 178; 50 U.S.C. 1701 note) is amended—

12 (1) in the heading, by inserting “, **NORTH**
13 **KOREA,**” after “**IRAN**”; and

14 (2) in subsection (a)—

15 (A) in the matter preceding paragraph

16 (1)—

17 (i) by striking “Iran, or” and insert-
18 ing “Iran,”; and

19 (ii) by inserting after “Syria” the fol-
20 lowing: “, or on or after January 1, 2006,
21 transferred to or acquired from North
22 Korea” after “Iran”; and

23 (B) in paragraph (2), by inserting “,
24 North Korea,” after “Iran”.

1 (b) CONFORMING AMENDMENTS.—Such Act is fur-
2 ther amended—

3 (1) in section 1, by inserting “, **NORTH**
4 **KOREA,**” after “**IRAN**”;

5 (2) in section 5(a), by inserting “, North
6 Korea,” after “Iran” both places it appears; and

7 (3) in section 6(b)—

8 (A) in the heading, by inserting “, **NORTH**
9 **KOREA,**” after “**IRAN**”; and

10 (B) by inserting “, North Korea,” after
11 “Iran” each place it appears.

12 **SEC. 4. SENSE OF CONGRESS ON INTERNATIONAL CO-**
13 **OPERATION.**

14 Congress urges all governments concerned about the
15 threat of proliferation involving North Korea to impose
16 measures on persons involved in such proliferation that
17 are similar to those imposed by the United States Govern-
18 ment pursuant to the Iran, North Korea, and Syria Non-
19 proliferation Act, as amended by this Act.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5805
OFFERED BY MR. ROYCE OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “North Korea Non-
3 proliferation Act of 2006”.

4 **SEC. 2. STATEMENT OF POLICY.**

5 In view of—

6 (1) North Korea’s manifest determination to
7 proliferate missiles, nuclear weapons, and other
8 weapons of mass destruction in violation of inter-
9 national norms and expectations, and

10 (2) United Nations Security Council Resolution
11 1695, adopted unanimously on July 15, 2006, which
12 condemned the multiple launches by North Korea of
13 ballistic missiles on July 4, 2006, and requires all
14 Member States, in accordance with their national
15 legal authorities and consistent with international
16 law, to exercise vigilance and prevent—

17 (A) missile and missile-related items, mate-
18 rials, goods, and technology from being trans-

1 ferred to North Korea’s missile or weapons of
2 mass destruction programs, and

3 (B) the procurement of missiles or missile-
4 related items, materials, goods, and technology
5 from North Korea, and the transfer of any fi-
6 nancial resources in relation to North Korea’s
7 missile or weapons of mass destruction pro-
8 grams,

9 it should be the policy of the United States to im-
10 pose sanctions on persons who transfer such weap-
11 ons, and goods and technology related to such weap-
12 ons, to and from North Korea in the same manner
13 as persons who transfer such items to and from Iran
14 and Syria currently are sanctioned under United
15 States law.

16 **SEC. 3. AMENDMENTS TO IRAN AND SYRIA NONPROLIFERA-**
17 **TION ACT.**

18 (a) REPORTING REQUIREMENTS.—Section 2 of the
19 Iran and Syria Nonproliferation Act (Public Law 106–
20 178; 50 U.S.C. 1701 note) is amended—

21 (1) in the heading, by inserting “, **NORTH**
22 **KOREA,**” after “**IRAN**”; and

23 (2) in subsection (a)—

24 (A) in the matter preceding paragraph

25 (1)—

1 (i) by striking “Iran, or” and insert-
2 ing “Iran,”; and

3 (ii) by inserting after “Syria” the fol-
4 lowing: “, or on or after January 1, 2006,
5 transferred to or acquired from North
6 Korea” after “Iran”; and

7 (B) in paragraph (2), by inserting “,
8 North Korea,” after “Iran”.

9 (b) CONFORMING AMENDMENTS.—Such Act is fur-
10 ther amended—

11 (1) in section 1, by inserting “, North Korea,”
12 after “Iran”;

13 (2) in section 5(a), by inserting “, North
14 Korea,” after “Iran” both places it appears; and

15 (3) in section 6(b)—

16 (A) in the heading, by inserting “, North
17 Korea,” after “Iran”; and

18 (B) by inserting “, North Korea,” after
19 “Iran” each place it appears.

20 **SEC. 4. SENSE OF CONGRESS ON INTERNATIONAL CO-**
21 **OPERATION.**

22 Given the threat to international peace and security
23 by North Korea’s pursuit of nuclear, chemical and biologi-
24 cal weapons, as well as their means of delivery, Congress
25 urges all governments to comply promptly with United

4

1 Nations Security Council Resolution 1695 and to impose
2 measures on persons involved in such proliferation that
3 are similar to those imposed by the United States Govern-
4 ment pursuant to the Iran, North Korea, and Syria Non-
5 proliferation Act, as amended by this Act.

Amend the title so as to read: “A Bill to promote nuclear nonproliferation in North Korea.”.

109TH CONGRESS
1ST SESSION

H. RES. 415

Expressing the sense of the House of Representatives that the Socialist Republic of Vietnam needs to do more to resolve claims for confiscated real and personal property, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Ms. LORETTA SANCHEZ of California (for herself and Mr. BURTON of Indiana) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives that the Socialist Republic of Vietnam needs to do more to resolve claims for confiscated real and personal property, and for other purposes.

Whereas during the establishment of the Socialist Republic of Vietnam as a 1-party state ruled and controlled by the Vietnamese Communist Party, uncompensated confiscation of real and personal property from Vietnamese citizens was a widespread occurrence;

Whereas the Government of the Socialist Republic of Vietnam continues to use the confiscation of land as a tool of repression against certain ethnic minorities, such as the Montagnards of the Central Highlands region;

Whereas Article 23 of the Constitution of the Socialist Republic of Vietnam provides that “[t]he lawful property of individuals and organizations shall not be nationalized”;

Whereas according to the Department of State, more work is necessary to adequately protect property rights in Vietnam; and

Whereas the people of the United States are firmly committed to freedom, democracy, and basic human rights for the citizens of the Socialist Republic of Vietnam: Now, therefore, be it

1 *Resolved*, That—

2 (1) The House of Representatives—

3 (A) welcomes recent attempts by the Gov-
4 ernment of the Socialist Republic of Vietnam to
5 establish private land use rights for some of its
6 citizens, and hopes that these rights are quickly
7 expanded to encompass all Vietnamese citizens;

8 (B) calls on the Government of the Social-
9 ist Republic of Vietnam to more fully recognize
10 its responsibility to provide equitable, prompt,
11 and fair restitution of property that was con-
12 fiscated by the government;

13 (C) calls on the Government of the Social-
14 ist Republic of Vietnam to direct local officials,
15 particularly in the Central Highlands region, to
16 promptly investigate and resolve complaints

1 about discriminatory and uncompensated con-
2 fiscation of land;

3 (D) urges the Government of the Socialist
4 Republic of Vietnam to form a national com-
5 mission for processing restitution claims, and to
6 obligate local government officials, bodies, and
7 agencies to provide all necessary documentation
8 and cooperation to facilitate the implementation
9 of decisions issued by the national commission;
10 and

11 (E) strongly urges the Government of the
12 Socialist Republic of Vietnam—

13 (i) to ensure that implementation of
14 land use reforms by local officials does not
15 result in increased inequity in access to
16 land, particularly for the poor and for
17 those out of favor with the Communist
18 Party; and

19 (ii) to ensure that the government
20 provides fair, prompt, and equitable res-
21 titution to former landowners for the prop-
22 erty rights of all confiscated lands; and

23 (2) it is the sense of the House of Representa-
24 tives that—

1 (A) the President should specifically con-
2 sider land use rights for individuals in deter-
3 mining whether the Socialist Republic of Viet-
4 nam is a country of particular concern for reli-
5 gious freedom under section 402(b)(1)(A) of
6 the International Religious Freedom Act of
7 1998 (22 U.S.C. 6442(b)(1)(A)); and

8 (B) the President should direct the Sec-
9 retary of State to include, in the Secretary of
10 State's annual Country Reports on Human
11 Rights Practices submitted to the Congress
12 under the Foreign Assistance Act of 1961, the
13 status of land use rights and restitution claims
14 in the Socialist Republic of Vietnam.

○

AMENDMENT TO H. RES. 415
OFFERED BY M. _____

Strike the second clause of the preamble.

Page 2, line 5, strike “some of”.

109TH CONGRESS
1ST SESSION

H. RES. 622

To recognize and honor the Filipino World War II veterans for their defense of democratic ideals and their important contribution to the outcome of World War II.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2005

Mr. ISSA (for himself, Mr. FILNER, Mr. BERMAN, Ms. BORDALLO, and Mr. HUNTER) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

To recognize and honor the Filipino World War II veterans for their defense of democratic ideals and their important contribution to the outcome of World War II.

Whereas in 1898, the Philippines Archipelago was acquired by the United States, became an organized United States territory in 1902, and, in preparation for independence, became a self-governing commonwealth in 1935;

Whereas the people of the Philippines and of the United States developed strong ties throughout the decades-long democratic transition of the island, compelling the United States to assume the responsibilities of defending the archipelago and protecting the people of the Philippines;

Whereas on July 26, 1941, anticipating the aggression of Japanese invasion forces in the Asia Pacific region, as well as the imminent conflict between the United States and Japan, President Franklin D. Roosevelt issued a military order, calling the organized military forces of the Government of the Commonwealth of the Philippines into armed service under the command of United States Army officers led by General Douglas MacArthur;

Whereas on December 7, 1941, the Japanese Government began a devastating four-year war with the United States with their stealth bombing attacks of Pearl Harbor, Hawaii, and Clark Air Field, Philippines, and led to the loss of tens of thousands of American and Filipino soldiers and countless civilian casualties;

Whereas on February 20, 1946, President Harry Truman stated, “Philippine Army veterans are nationals of the United States and will continue in that status until July 4, 1946. They fought, as American nationals, under the American flag, and under the direction of our military leaders. They fought with gallantry and courage under most difficult conditions. I consider it a moral obligation of the United States to look after the welfare of the Philippine Army veterans.”;

Whereas on October 17, 1996, President William J. Clinton issued a proclamation on the anniversary of the 1944 return of United States forces under General MacArthur to liberate the Philippines and said, “I urge all Americans to recall the courage, sacrifice, and loyalty of Filipino Veterans of World War II and honor them for their contribution to our freedom.”;

Whereas on July 26, 2001, President George W. Bush, in his greetings to the Filipino World War II veterans said,

“More than 120,000 Filipinos fought with unwavering loyalty and great gallantry under the command of General Douglas MacArthur. The combined United States-Philippine forces distinguished themselves by their valor and heroism in defense of freedom and democracy. Thousands of Filipino soldiers gave their lives in the battles of Bataan and Corregidor. These soldiers won for the United States the precious time needed to disrupt the enemy’s plan for conquest in the Pacific. During the three long years following these battles, the Filipino people valiantly resisted a brutal Japanese occupation with an indomitable spirit and steadfast loyalty to America.”; and

Whereas the contributions of the Filipino people, and the sacrifices of their soldiers in World War II, have not been fully recognized: Now, therefore, be it

- 1 *Resolved*, That the House of Representatives reaf-
- 2 firms, recognizes, and honors the Filipino World War II
- 3 veterans for their defense of American democracy and
- 4 their important contribution to the victorious outcome of
- 5 World War II.

○

AMENDMENT TO H. RES. 622**OFFERED BY MR. HYDE OF ILLINOIS**

Strike all after the resolving clause and insert the following: “That the House of Representatives recognizes and honors Filipino World War II veterans for their important contributions to the victorious outcome of World War II, including their valiant fight for the liberation of their homeland and their defense of democratic ideals.”.

109TH CONGRESS
2D SESSION

H. RES. 723

Calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2006

Mr. LANTOS (for himself, Mr. PITTS, Mr. TANCREDO, Mr. PAYNE, Mr. RANGEL, Mr. BERMAN, Mr. BURTON of Indiana, Mrs. MALONEY, Mr. MCGOVERN, Mr. MCCOTTER, Ms. LEE, Mr. RYAN of Ohio, Mr. ADERHOLT, Mr. McNULTY, Mr. GORDON, Mr. BROWN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. KILDEE, Mr. WAXMAN, Mr. CROWLEY, Ms. NORTON, Mr. RUSH, Ms. WATSON, Mr. CARDOZA, Mr. NEAL of Massachusetts, Mr. OWENS, Mr. ENGEL, Mr. CLAY, Mr. ACKERMAN, Mr. VAN HOLLEN, Mr. VISCLOSKY, Mr. WEXLER, and Mr. CONYERS) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection.

Whereas the United States Congress and Administration are on record as declaring that the atrocities being committed in Darfur, Sudan are genocide;

Whereas the April 8, 2004, N'Djamena Ceasefire Agreement, calling for an end to hostilities in Darfur has been flagrantly violated by the Government of Sudan and its

proxies, the Janjaweed militias, which have continued to engage in acts of genocide against innocent civilians;

Whereas the African Union (AU) deployed the African Union Mission in Sudan (AMIS) to Darfur to monitor the violence and, in spite of attacks on AMIS observers that has resulted in kidnappings and deaths, AMIS has protected civilians from further violence and, according to Human Rights Watch, while the mandate of AMIS does not allow for proactive protection of civilians, AMIS has been successful in creating pockets of security for displaced persons simply through its presence;

Whereas rebel movements known as the Sudanese Liberation Army (SLA) and the Justice and Empowerment Movement (JEM) have violated the N'Djamena Ceasefire Agreement and such violations have contributed to growing instability;

Whereas the Government of Sudan and its armed militia groups continue to commit crimes against humanity and engage in genocidal acts in Darfur, in spite of the presence of AMIS forces, and, as of February 22, 2006, Janjaweed militias were still attacking innocent villagers in retaliation for encounters with rebel forces;

Whereas subsequent to the signing of the Comprehensive Peace Agreement between the Government of Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/SPLA) on January 9, 2005, the Government of Sudan refused a proposal from the Sudan People's Liberation Movement (SPLM) to send joint troops to protect civilians and disarm the government-supported militia;

Whereas United Nations Secretary-General Kofi Annan has indicated that, “People in many parts of Darfur continue to be killed, raped, and driven from their homes by the thousands.”;

Whereas it has been reported that an estimated 300,000 to 400,000 people have died in the conflict-affected area of Darfur and eastern Chad, and due to the number of areas that cannot be accounted for, the total number of deaths may be higher;

Whereas nearly 2,000,000 people have been internally displaced, 3,000,000 people are dependant on international assistance to survive, and more than 200,000 people are refugees in neighboring Chad due to the conflict in Darfur;

Whereas Human Rights Watch reported on February 16, 2006, that Janjaweed militias and Chadian rebel groups with support from the Sudanese Government were launching deadly cross-border raids on villages in eastern Chad, further escalating the humanitarian crisis for the people of Darfur;

Whereas Salim Ahmed Salim, the AU Special Envoy for the Darfur Talks and Chief Mediator at the ongoing talks in Abuja, Nigeria, indicated that all parties to existing ceasefire agreements were increasingly resorting to military attacks in contravention of such agreements and impeding the distribution of humanitarian aid to millions of people in need and that, in each month since October 2005, the violence in Darfur has worsened;

Whereas the ongoing assault on civilians by Sudanese Government forces and Janjaweed militias requires forces larger than the current AMIS forces and with a stronger

mandate than such AMIS forces in order to adequately protect civilians in Darfur;

Whereas the United States has demonstrated leadership on the Sudan issue for years by mediating Sudan's North-South Peace Agreement, by declaring genocide in Darfur, by providing nearly \$1 billion in humanitarian assistance over time, and by having United States Permanent Representative to the United Nations John Bolton, in his first action as President of the United Nations Security Council, request in February 2006 that Secretary-General Annan initiate contingency planning for a transition from AMIS to a United Nations peacekeeping operation;

Whereas, although the United Nations Security Council has concurred with this recommendation and taken steps toward establishing a United Nations peacekeeping mission for Darfur, reports have concluded that it could take up to a year for such a mission to deploy fully;

Whereas, as the deteriorating security situation in Darfur indicates, the people of Darfur cannot wait that long for security to be reestablished;

Whereas the international community currently has no plan to address the immediate security needs of the people of Darfur; and

Whereas all members of the international community must participate in efforts to stop genocide, war crimes, and crimes against humanity in Darfur: Now, therefore, be it

- 1 *Resolved*, That the House of Representatives—
- 2 (1) commends the Africa Union Mission in
- 3 Sudan (AMIS) for its actions in monitoring the

1 N'Djamena Ceasefire Agreement in Darfur and its
2 role in diminishing some acts of violence;

3 (2) strongly condemns—

4 (A) the continued genocide against civil-
5 ians in Darfur by the Government of Sudan
6 and government-sponsored militias; and

7 (B) the continued violations of the
8 N'Djamena Ceasefire Agreement by both par-
9 ties to the agreement;

10 (3) calls upon both parties to the N'Djamena
11 Ceasefire Agreement—

12 (A) to abide by the terms of the
13 N'Djamena Ceasefire Agreement; and

14 (B) to engage in good-faith negotiations to
15 end the conflict in Darfur;

16 (4) calls upon the Government of Sudan
17 immediately—

18 (A) to withdraw all military aircraft from
19 the region;

20 (B) to cease all support for Janjaweed mi-
21 litias and rebels from Chad; and

22 (C) to disarm all Janjaweed militias;

23 (5) calls on the African Union to work closely
24 with the United Nations and the North Atlantic
25 Treaty Organization (NATO) to strengthen its ca-

1 capacity to deter violence and instability until a United
2 Nations peacekeeping force is fully deployed in
3 Darfur;

4 (6) calls on NATO to extend its current mission
5 of advisors to the African Union, as requested by the
6 leadership of the African Union;

7 (7) calls upon the United Nations Security
8 Council to approve as soon as possible, pursuant to
9 Chapter VII of the Charter of the United Nations,
10 a peacekeeping force for Darfur that is well trained
11 and equipped and has adequate troop strength;

12 (8) urges the President to take steps imme-
13 diately to help improve the security situation in
14 Darfur, including by—

15 (A) proposing that NATO—

16 (i) implement an interim civilian pro-
17 tection force using ground and air assets
18 under centralized planning, direction, and
19 control, to protect civilians until a United
20 Nations peacekeeping force is fully de-
21 ployed in Darfur; and

22 (B) requesting supplemental funding to
23 support AMIS and a NATO mission in Darfur;

24 (9) calls upon NATO allies to support such a
25 NATO mission; and

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1 (10) calls upon NATO headquarters staff to
2 begin prudent planning in advance of such a NATO
3 mission.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 723
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike the preamble and insert the following:

Whereas the United States Congress and the President are on record as declaring that the atrocities being committed in Darfur, Sudan are genocide;

Whereas the United States has demonstrated leadership on the Sudan issue for years, including by mediating Sudan's North-South Peace Agreement, by declaring genocide in Darfur, by providing nearly \$1 billion in humanitarian assistance over time, and by having United States Permanent Representative to the United Nations John Bolton, in his first action as President of the United Nations Security Council, request in February 2006 that United Nations Secretary-General Kofi Annan initiate contingency planning for a transition from the African Union Mission in Sudan (AMIS) to a United Nations peacekeeping force;

Whereas the African Union deployed AMIS to Darfur to monitor the violence and, in spite of attacks on AMIS observers and the fact that the recently improved AMIS mandate still does not provide sufficiently for proactive protection of civilians, AMIS has been successful in creating pockets of security for displaced persons simply through its presence;

Whereas the N'Djamena Ceasefire Agreement of April 8, 2004, the Abuja Protocols of November 9, 2004, and the

Darfur Peace Agreement of May 5, 2006, have not resulted in a cessation of hostilities in Darfur;

Whereas the Government of Sudan and its armed militia groups continue to commit crimes against humanity and engage in genocidal acts in Darfur, in spite of the presence of AMIS forces, and, in early September 2006, launched a major offensive in Darfur, in direct violation of the Darfur Peace Agreement;

Whereas United Nations Secretary-General Annan has indicated that, “People in many parts of Darfur continue to be killed, raped, and driven from their homes by the thousands.”;

Whereas it has been reported that an estimated 300,000 to 400,000 people have died in the conflict-affected area of Darfur and eastern Chad, and due to the number of areas that cannot be accounted for, the total number of deaths may be higher;

Whereas the ongoing assault against civilians by Sudanese Government forces, Janjaweed militias, and rebels necessitates the deployment of a larger, more capable international peacekeeping force with a strong mandate to protect civilians in Darfur;

Whereas, although the United Nations Security Council approved Security Council Resolution 1706 (August 31, 2006) which provides for the deployment of a United Nations peacekeeping mission in Darfur to include up to 22,500 personnel, the Government of Sudan has rejected the terms of such Resolution and alternatively issued an ultimatum to AMIS to extend its current mission beyond September 2006 without transitioning to a United Nations peacekeeping force; and

Whereas on the same day on which the Government of Sudan issued its ultimatum, the African Union stated that it would quit the war-ravaged Darfur region if the Government of Sudan did not allow a United Nations peacekeeping force to take over AMIS: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That the House of Representatives—

2 (1) commends the Africa Union Mission in
3 Sudan (AMIS) for its actions in monitoring the
4 N'Djamena Ceasefire Agreement in Darfur and its
5 role in diminishing some acts of violence;

6 (2) strongly condemns the continued genocide
7 and violence directed against civilians in Darfur by
8 the Government of Sudan and government-sponsored
9 militias, as well as attacks perpetrated against civil-
10 ians by rebels in Darfur;

11 (3) calls upon all parties to the N'Djamena
12 Ceasefire Agreement—

13 (A) to abide by the terms of the
14 N'Djamena Ceasefire Agreement and the
15 Darfur Peace Agreement; and

16 (B) to engage in good-faith negotiations to
17 end the conflict in Darfur;

18 (4) calls upon the Government of Sudan
19 immediately—

1 (A) to comply with United Nations Secu-
2 rity Council Resolution 1706 (August 31,
3 2006), support the transition of AMIS to a
4 United Nations peacekeeping mission, and fa-
5 cilitate the deployment of United Nations
6 peacekeepers throughout Sudan toward that
7 end;

8 (B) to withdraw all offensive military air-
9 craft and personnel from the region;

10 (C) to cease all support for Janjaweed mi-
11 litias and rebels from Chad; and

12 (D) to disarm all Janjaweed militias;

13 (5) calls upon the international community to
14 provide sufficient funding to support the AMIS mis-
15 sion as it transitions to a United Nations peace-
16 keeping mission;

17 (6) calls on the African Union to work closely
18 with the United Nations and the North Atlantic
19 Treaty Organization (NATO) to strengthen its ca-
20 pacity to deter violence and instability until a United
21 Nations peacekeeping force is fully deployed in
22 Darfur;

23 (7) calls on NATO to extend its current mission
24 of advisors to the African Union, as requested by the
25 leadership of the African Union;

1 (8) urges the President to take steps imme-
2 diately to help improve the security situation in
3 Darfur, including by—

4 (A) proposing that NATO support an in-
5 terim civilian protection force with sufficient
6 ground and air assets under centralized plan-
7 ning, direction, and control, to protect civilians
8 and facilitate the deployment of United Nations
9 peacekeepers in Darfur; and

10 (B) requesting supplemental funding, as
11 necessary, to support AMIS and a NATO sup-
12 port mission in Darfur;

13 (9) calls upon NATO allies to support such a
14 NATO mission;

15 (10) calls upon NATO headquarters staff to
16 begin prudent planning in advance of such a NATO
17 mission; and

18 (11) urges the President to take immediate
19 steps to work through diplomatic channels to obtain
20 the support of the People's Republic of China, the
21 Russian Federation, and United States allies in the
22 Arab League to secure the compliance of the Gov-
23 ernment of Sudan with United Nations Security
24 Council Resolution 1706 and support full funding
25 for the United Nations peacekeeping force in Sudan.

109TH CONGRESS
2D SESSION

H. RES. 759

Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge and accept responsibility for its sexual enslavement of young women, known to the world as “comfort women”, during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2006

Mr. EVANS (for himself and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge and accept responsibility for its sexual enslavement of young women, known to the world as “comfort women”, during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, and for other purposes.

Whereas the Government of Japan, during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, organized the subjugation and kidnapping, for the sole purpose of sexual

servitude, of young women, who became known to the world as “comfort women”;

Whereas the “comfort women” tragedy was one of the largest cases of human trafficking in the 20th century;

Whereas the enslavement of comfort women was officially commissioned and orchestrated by the Government of Japan to include gang rape, forced abortions, sexual violence, human trafficking, and numerous other crimes against humanity;

Whereas the comfort women included girls as young as 13 years of age and women separated from their own children;

Whereas the comfort women were either abducted from their homes or lured into sexual servitude under false pretenses;

Whereas many comfort women were eventually killed or driven to commit suicide when the hostilities ceased;

Whereas the use of “comfort women” is considered a current as well as past human rights issue;

Whereas the shame connected to their ordeal caused many comfort women to conceal it and caused many others to come forward about their experiences only in recent years;

Whereas historians conclude that as many as 200,000 women were enslaved, but very few of them survive today;

Whereas the Government of Japan did not fully disclose these war crimes during negotiations for reparations with its former enemies and occupied countries;

Whereas some textbooks used in Japanese schools minimize the “comfort women” tragedy and other atrocities, and

distort the Japanese role in war crimes during World War II; and

Whereas Japanese Government officials, both elected and career, as recently as June 2005, praised the removal of the term “comfort women” from Japanese textbooks: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Representatives that the Government of Japan—

3 (1) should formally acknowledge and accept responsibility for its sexual enslavement of young women, known to the world as “comfort women”, during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II;

9 (2) should educate current and future generations about this horrible crime against humanity;

11 (3) should publicly, strongly, and repeatedly refute any claims that the subjugation and enslavement of comfort women never occurred; and

14 (4) should follow the recommendations of the United Nations and Amnesty International with respect to the “comfort women”.

○

Whereas in 1993 the Government of Japan first expressed its “sincere apologies and remorse” to the former wartime comfort women and in July 1995 established the Asian Women’s Fund in order to extend “atonement” from the Japanese people to the comfort women;

Whereas the Asian Women’s Fund is scheduled to cease operations in March 2007, having issued \$5.7 million, raised from private Japanese contributions, in atonement payments and an accompanying letter of apology from the Japanese Prime Minister to 285 former comfort women, and over \$13 million of official government funds in medical and welfare support programs for former comfort women in South Korea, Taiwan, the Philippines, Indonesia, and the Netherlands;

In the 13th clause of the preamble (as redesignated)—

- (1) strike “some textbooks” and insert “in recent years, however, some new textbooks”; and
- (2) strike “distort” and insert “seek to downplay”.

In the 14th clause of the preamble (as redesignated)—

- (1) insert “some” before “Japanese Government officials”; and
- (2) strike “praised” and insert “have publicly advocated”.

Page 3, beginning on line 3, strike “formally acknowledge and accept responsibility” and insert “unambiguously acknowledge and accept historical responsibility”.

Page 3, line 10, strike “against humanity”.

Page 3, strike lines 14 through 16 and insert the following new paragraph:

1 (4) should seriously consider the recommenda-
2 tions of the United Nations Special Rapporteur on
3 Violence Against Women and of international human
4 rights nongovernmental organizations, such as Am-
5 nesty International, in determining what additional
6 forms of redress for comfort women may be nec-
7 essary or appropriate.

Amend the title so as to read: “Resolution expressing the sense of the House of Representatives that the Government of Japan should unambiguously acknowledge and accept historical responsibility for its sexual enslavement of young women, known to the world as ‘comfort women’, during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, and for other purposes.”.

109TH CONGRESS
2D SESSION

H. RES. 940

Recognizing the 185th anniversary of the independence of Peru on July 28, 2006.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2006

Mr. CROWLEY submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Recognizing the 185th anniversary of the independence of Peru on July 28, 2006.

Whereas Peru gained independence from Spain on July 28, 1821, when the Republic of Peru was established as a sovereign and independent country;

Whereas the people of Peru have established a unique, pluralistic democracy which includes the freedoms cherished by the people of the United States, including freedom of speech, freedom of religion, freedom of association, freedom of the press, and government by the consent of the governed;

Whereas Peru continues to serve as a shining model of democratic values by regularly holding free and fair elections and promoting the free exchange of ideas;

Whereas since Peru became an independent country, the interests of Peru and the United States have been closely aligned;

Whereas the people of the United States share affinity with the people of Peru and view Peru as a strong and trusted ally;

Whereas Peru is a supporter of the United States in the Global War on Terror, and joins the United States in promoting political and economic freedoms, combating poverty, crime, disease, and drugs, and promoting security, stability, and prosperity;

Whereas the bonds of association and friendship between the peoples of the two countries have been strengthened by the large number of Peruvians who have migrated to the United States, where they make significant contributions to both the United States and Peru;

Whereas Peru is an integral member of the Latin American region and a constructive partner of the United States in fulfilling the agenda of the Western Hemisphere; and

Whereas the Peruvians and Peruvian-Americans residing in the United States have enriched and added to the United States way of life in the social, economic, and political arenas and Peru's rich identity and heritage have become an integral part of the cultural tapestry of the United States: Now, therefore, be it

- 1 *Resolved*, That the House of Representatives—
- 2 (1) recognizes the 185th anniversary of the
- 3 independence of Peru;

1 (2) extends warm congratulations and best
2 wishes to Peru for peace and further progress, devel-
3 opment, and prosperity; and

4 (3) extends best wishes to Peruvians and Peru-
5 vian-Americans residing in the United States as they
6 celebrate the 185th anniversary of Peru's independ-
7 ence.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 940
OFFERED BY MR. CROWLEY OF NEW YORK**

Strike the preamble and insert the following:

Whereas Peru gained independence from Spain on July 28, 1821, when the Republic of Peru was established as a sovereign and independent country;

Whereas the people of Peru have established, after a series of military and authoritarian regimes, a unique, pluralistic democracy which includes the freedoms cherished by the people of the United States, including freedom of speech, freedom of religion, freedom of association, freedom of the press, and government by the consent of the governed;

Whereas Peru regularly holds free and fair elections and promotes free exchange of ideas;

Whereas the interests of Peru and the United States are closely aligned;

Whereas the people of the United States share affinity with the people of Peru and view Peru as a strong ally;

Whereas the United States has joined Peru to promote political and economic freedoms, combat poverty, crime, disease, and drugs, and promote security, stability, and prosperity within Peru;

Whereas the bonds of association and friendship between the peoples of the two countries have been strengthened by the large number of Peruvians who have migrated to the

United states where they make significant contributions to both the United States and Peru;

Whereas Peru is an integral member of the Latin American region and has been a constructive partner of the United States in fulfilling the agenda of the Western Hemisphere; and

Whereas the Peruvians and Peruvian-Americans residing in the United States have enriched and added to the United States way of life in the social, economic, and political arenas, and Peru's rich identity and heritage have become an integral part of the cultural tapestry of the United States: Now, therefore, be it

Strike all after the resolving clause and insert the following:

- 1 That the House of Representatives—
- 2 (1) recognizes the 185th anniversary of the
- 3 independence of Peru;
- 4 (2) extends warm congratulations and best
- 5 wishes to Peru for peace and further progress, devel-
- 6 opment, and prosperity; and
- 7 (3) extends best wishes to Peruvians and Peru-
- 8 vian-Americans residing in the United States as they
- 9 celebrate the 185th anniversary of Peru's independ-
- 10 ence.

109TH CONGRESS
2D SESSION

H. RES. 942

Recognizing the centennial anniversary on August 5, 2006, of the Iranian constitution of 1906.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2006

Mr. KING of Iowa submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Recognizing the centennial anniversary on August 5, 2006, of the Iranian constitution of 1906.

Whereas in 1906, one hundred years ago, the people of Iran rose in a peaceful democratic revolution against arbitrary, despotic rulers;

Whereas the people of Iran chose to confront these rulers with peaceful assemblies of thousands of people in the public spaces of Iran until these rulers received their demands;

Whereas these rulers bowed to the wishes of the people on August 5, 1906, and issued a decree for the convocation of a freely elected assembly, the Majles, to write a democratic constitution;

Whereas the Iranian constitution, written pursuant to the decree of 1906, was a democratic instrument providing for—

- (1) the establishment of an independent judiciary;
- (2) the establishment of an independent legislature with members directly elected by the people;
- (3) socio-political progress, including the separation of religion from the affairs of government; and
- (4) the commitment of the government to the territorial integrity of Iran;

Whereas the maneuvering of the imperial powers and a fundamentalist clergy crushed the democratic aspirations represented in the constitution of 1906;

Whereas the Iranian constitution of 1906 has nevertheless remained in the forefront of the aspirations of the Iranian people throughout decades of a long struggle towards progress, civil society, and democracy;

Whereas those ideals were abolished by the clerical-led dictatorship of the Ayatollahs in 1979; and

Whereas August 5, 2006, would be an appropriate day to recognize the centennial anniversary of the Iranian constitution of 1906: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) recognizes the centennial anniversary of the
3 Iranian constitution of 1906;

4 (2) is mindful of the democratic revolution of
5 1906 that lead to the drafting of the Iranian con-
6 stitution; and

1 (3) expresses its profound hope that the people
2 of Iran will once again enjoy a democratic govern-
3 ment in the spirit of the Iranian constitution of
4 1906.

○

109TH CONGRESS
2D SESSION

H. RES. 965

Commending the people of Montenegro on the conduct of the referendum on independence, welcoming United States recognition of the sovereignty and independence of the Republic of Montenegro, and welcoming Montenegrin membership in the United Nations and other international organizations.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2006

Mr. LANTOS (for himself, Mr. HYDE, Mr. GALLEGLY, Mr. SMITH of New Jersey, Mr. ENGEL, Mr. BROWN of Ohio, Mr. BLUMENAUER, and Mr. HASTINGS of Florida) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Commending the people of Montenegro on the conduct of the referendum on independence, welcoming United States recognition of the sovereignty and independence of the Republic of Montenegro, and welcoming Montenegrin membership in the United Nations and other international organizations.

Whereas the Constitutional Charter of the State Union of Serbia and Montenegro established provisions and procedures for withdrawal of a member state from the State Union, providing that a decision to withdraw “shall be made after a referendum has been held”;

Whereas, in accordance with Article 60 of the Constitutional Charter of the State Union of Serbia and Montenegro, the Parliament of Montenegro unanimously adopted in March 2006 the Law on the Referendum on the State Legal Status of the Republic of Montenegro, which established the conditions for the conduct of the referendum on state independence, including establishing the standard that 55 percent of voters must support independence to achieve a valid mandate;

Whereas the people of Montenegro in a popular referendum on May 21, 2006, voted to support the sovereign independence of the Republic of Montenegro from the State Union of Serbia and Montenegro by a margin of 55.5 percent in favor of independence with over 86 percent of eligible voters participating in the referendum;

Whereas, in accordance with the expressed will of a majority of the people of Montenegro, on June 3, 2006, the Parliament of Montenegro declared the independence of Montenegro, declaring that the Republic is a “multi-ethnic, multicultural and multireligious society . . . based on the rule of law and market economy”;

Whereas countries and international organizations throughout the world, including the United States and the European Union, have formally recognized Montenegro as an independent state and are establishing diplomatic relations with Montenegro;

Whereas Secretary of State Condoleezza Rice said as she announced that the United States formally recognized the sovereignty and independence of the Republic of Montenegro that “the honor of being counted among the free and independent states of the world brings with it the challenge of protecting and advancing the freedom,

rights, and prosperity of all the people of Montenegro, and the responsibility to make a positive contribution to the community of nations”;

Whereas on June 28, 2006, Montenegro was welcomed as the 192nd member of the United Nations, on which occasion, United Nations Secretary-General Kofi Annan said: “In achieving its independence through a non-violent and democratic process, conducted in a fair and open way, Montenegro showed the entire world not only its patience, but its political maturity.”; and

Whereas the Republic of Serbia and the Republic of Montenegro have acted responsibly in their bilateral relationship following the decision of the Montenegrin people to withdraw from the State Union of Serbia and Montenegro: on June 15, 2006, Serbia recognized the independence of Montenegro, the two countries have established formal diplomatic relations, and the President of Serbia was the first foreign head of state to pay an official visit to Montenegro: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) commends the people and the Government
3 of the Republic of Montenegro for the free, fair, and
4 responsible way in which the referendum on inde-
5 pendence was conducted and acknowledges the broad
6 participation of the citizens of Montenegro in that
7 important vote;

8 (2) congratulates the people of Montenegro on
9 their decision to establish an independent and sov-
10 ereign state and welcomes them to the community of

1 nations, to membership in the United Nations, to
2 full participation in the Organization for Security
3 and Cooperation in Europe (OSCE), and to mem-
4 bership in other international organizations;

5 (3) welcomes the decision of the United States
6 to recognize the sovereignty and independence of the
7 Republic of Montenegro and urges the expeditious
8 establishment of diplomatic relations between our
9 two countries; and

10 (4) urges the people and Government of Monte-
11 negro to continue to embrace the principles of demo-
12 cratic government and to take actions that will en-
13 courage respect for human rights, for a free market
14 economy, and for a free, open and democratic society
15 with full respect for all people of Montenegro.

○

109TH CONGRESS
2D SESSION

H. RES. 976

Condemning human rights abuses by the Government of the Islamic Republic of Iran and expressing solidarity with the Iranian people.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2006

Mr. MCCAUL of Texas (for himself, Mr. CROWLEY, Ms. ROS-LEHTINEN, Mr. BURTON of Indiana, Mr. PENCE, Mr. MCCOTTER, Mr. ENGEL, Mr. HIGGINS, Mr. PEARCE, Mr. SOUDER, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. CARTER, Ms. HARRIS, Mr. DOYLE, Mr. WEXLER, Mr. ISRAEL, Mr. MACK, Mr. LANTOS, Ms. BERKLEY, Mrs. MALONEY, Mr. NADLER, Mr. GEORGE MILLER of California, Mr. FRANK of Massachusetts, Mr. POE, Mr. ETHERIDGE, Mr. CARDOZA, Mr. FOSSELLA, Mr. GORDON, Mr. CLAY, and Mr. JEFFERSON) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Condemning human rights abuses by the Government of the Islamic Republic of Iran and expressing solidarity with the Iranian people.

Whereas the Government of the Islamic Republic of Iran was elected through a controlled and fixed election process which does not allow the Iranian people to freely elect their leaders;

Whereas the Government of Iran is unaccountable to the will of the Iranian people;

Whereas the Government of Iran is a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination;

Whereas the Government of Iran within both its legal framework and everyday practice continues to violate the civil and human rights of its citizens, in particular women, religious and ethnic minorities, and vocal opponents of the regime;

Whereas the Government of Iran practices discrimination against the aforementioned groups through denial of access to education and employment, seizure of private property, violent suppression of peaceful protest and freedom of assembly, arbitrary arrest and detention, physical and mental torture, cruel, inhuman, and degrading punishment, such as public executions, hanging, and stoning, and extra judicial killings of dissidents and ordinary citizens;

Whereas the Constitution of Iran promotes religious intolerance and prohibits religious freedom by endorsing one religion to the exclusion of other religious beliefs;

Whereas an unelected theocratic ruler and clerical elite exert control over the executive, legislative, and judicial branches of the Iranian Government;

Whereas the Iranian judiciary is not independent and can be subject to arbitrary dismissal by the clerics;

Whereas on December 16, 2005, the United Nations General Assembly passed a resolution discussing the human rights violations by the Government of Iran and insisting

that Iran eliminate in law and in practice discrimination toward the aforementioned groups;

Whereas international human rights organizations have called for investigations into violent crackdowns of peaceful protests and other human rights violations which the Government of Iran has ignored;

Whereas Iran sent to the June 2006 inaugural meetings of the United Nations Human Rights Council Saeed Mortazavi, Tehran's Prosecutor General responsible for jailing hundreds of journalists and linked to the 2003 arrest, imprisonment, and murder of an Iranian-Canadian photojournalist, showing a blatant disregard for the issue of human rights reform; and

Whereas the Department of State's Country Report on Human Rights Practices and Report on International Religious Freedom document the human rights abuses by the Government of Iran and list Iran as a "Country of Particular Concern": Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns the human rights abuses per-
3 petrated by the Government of the Islamic Republic
4 of Iran and strongly urges the international commu-
5 nity to bring pressure on Iran to halt discrimination
6 and violence toward its citizens, in particular
7 women, religious and ethnic minorities, and vocal op-
8 ponents of the regime;

9 (2) urges the Government of the United States
10 to continue to pressure the Government of Iran into

1 making measurable improvements in the human
2 rights situation for the Iranian people; and

3 (3) expresses its unity with all Iranian people
4 and shares their desire to see Iran become a free
5 country with transparent, democratic institutions
6 and equal rights for all.

○

109TH CONGRESS
2D SESSION

H. RES. 992

Urging the President to appoint a Presidential Special Envoy for Sudan.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2006

Mr. WOLF (for himself, Mr. PAYNE, Mr. SMITH of New Jersey, Mr. LANTOS, Mr. CAPUANO, and Mr. TANCREDO) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Urging the President to appoint a Presidential Special Envoy for Sudan.

Whereas in July 2004, the United States House of Representatives and Senate declared that the atrocities in the Darfur region of Sudan constitute genocide, and the Bush administration reached the same conclusion in September 2004, when then Secretary of State Colin Powell stated that “the evidence leads us to the conclusion that genocide has occurred and may still be occurring in Darfur”;

Whereas more than 400,000 people have been killed by the Government of Sudan and its Janjaweed allies since the crisis began in 2003, more than 2,000,000 people have been displaced from their homes, and more than 250,000 people from Darfur remain in refugee camps in Chad;

Whereas some rebel factions, which have targeted civilians in the Darfur region, have intensified their attacks even after the signing of the Darfur Peace Agreement in May 2006;

Whereas the United Nations Under-Secretary General for Humanitarian Affairs, Jan Egland, in late August 2006 stated that “[i]nsecurity is at its highest level since 2004, access at its lowest levels since that date, and we may well be on the brink of a return to all-out war”;

Whereas despite the signing of the Darfur Peace Agreement in May 2006, violence against civilians, peacekeepers, and humanitarian workers continues unabated; and an estimated 12 humanitarian workers have been killed in Darfur, including a nurse in September 2006;

Whereas in August 2006, the Government of Sudan began to deploy thousands of government troops for a major offensive in Darfur, once again threatening a major humanitarian catastrophe and risking the safety and security of millions of civilians;

Whereas according to the Government of Sudan’s plan, in a document submitted to the United Nations Secretary-General Kofi Annan, the Government of Sudan plans to deploy approximately 26,500 additional troops and 7,050 additional police to Darfur;

Whereas the objectives of this deployment are “to deal with the threats posed by the activities of groups that have rejected the Darfur Peace Agreement and to gain control over the security situation and achieve stability in Darfur”;

Whereas the United Nations Security Council passed a resolution expanding the mandate of the United Nations Mis-

sion in Sudan (UNMIS) for the additional deployment of 17,300 peacekeeping troops and 3,300 civilian police personnel as well as 16 formed police units to Darfur;

Whereas President Omar Bashir of Sudan has rejected the deployment of a United Nations peacekeeping force to Darfur, even as First Vice President Salva Kiir has publicly stated his support for the deployment of a United Nations peacekeeping mission to Darfur;

Whereas implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM) is slow, raising serious concern about the commitment of the Government of Sudan to fulfill its responsibilities;

Whereas in July 2005, although the Abyei Boundary Commission, established to define and demarcate the area of the nine Ngok Dinka chiefdoms, finished its work and submitted its report to President Bashir, the President has yet to implement the conclusions of the Commission, as called for in the Comprehensive Peace Agreement;

Whereas the reconstruction and development of Southern Sudan and other marginalized areas remains a major challenge, while the return of refugees and displaced people to their homes in Darfur will require major financial commitments and the establishment of a secure and safe environment throughout Darfur;

Whereas in order to tackle these many and difficult challenges, the appointment of a Presidential Special Envoy for Sudan with a robust mandate and access to, and support of, senior Administration officials, including the President, is crucial;

Whereas Members of Congress and Senators, leading foreign policy experts, and many nongovernmental organizations have called repeatedly for the appointment of a Presidential Envoy for Sudan to effectively represent the United States Government in heading off a further escalation of genocide in Darfur; and

Whereas United States Government officials have diligently pursued peace agreements to end the North-South conflict and the Darfur conflict and the United States Government has provided more than \$2 billion in assistance to help the suffering people of Sudan: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) commends the many years of tireless efforts
3 of United States officials who have helped secure the
4 Comprehensive Peace Agreement and the Darfur
5 Peace Agreement;

6 (2) strongly supports the appointment of an
7 adequately staffed Presidential Special Envoy for
8 Sudan with a robust mandate to develop and coordi-
9 nate United States policy toward Sudan with regular
10 access to senior Administration officials; and

11 (3) strongly urges the mandate of the Presi-
12 dential Special Envoy for Sudan to include—

13 (A) deterring a further escalation of vio-
14 lence and humanitarian disaster in the Darfur
15 region of Sudan while ensuring civilians are

1 adequately protected and the Darfur Peace
2 Agreement is fully implemented;

3 (B) facilitating the development of an
4 international peacekeeping mission to Darfur
5 with a mandate to protect civilians and humani-
6 tarian workers;

7 (C) ensuring implementation of the Com-
8 prehensive Peace Agreement, which ended the
9 21-year civil war in Southern Sudan, Nuba,
10 Southern Blue Nile, and Abyei and helping se-
11 cure a just peace in Eastern Sudan;

12 (D) coordination of reconstruction and de-
13 velopment work in Southern Sudan and other
14 marginalized areas;

15 (E) coordination and monitoring of the re-
16 turn of refugees and displaced people to their
17 homes in Darfur and southern Sudan;

18 (F) securing and consolidating peace in
19 Northern Uganda by working closely with the
20 Government of South Sudan and the Govern-
21 ment of Uganda;

22 (G) coordination of efforts to ensure imple-
23 mentation of the transformation of the Sudan
24 People's Liberation Army (SPLA) into a pro-
25 fessional armed force;

1 (H) work toward achieving a peaceful, sta-
2 ble, and democratic Sudan by ensuring that
3 free and fair elections are held, as called for in
4 the Comprehensive Peace Agreement, by coordi-
5 nating and implementing programs necessary to
6 achieve these objectives; and

7 (I) coordination of efforts to work toward
8 achieving accountability for the crimes com-
9 mitted in Darfur by working closely with rel-
10 evant individuals and entities engaged in this
11 area.

○

AMENDMENT TO H. RES. 992**OFFERED BY MR. HYDE OF ILLINOIS**

In the second clause of the preamble, strike “more than 400,000 people” and insert “an estimated 300,000 to 400,000 people”.

In the 15th clause of the preamble, strike “and Senators”.

109TH CONGRESS
1ST SESSION

H. CON. RES. 317

Requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day, One Day of Peace and Sharing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2005

Mr. CONYERS (for himself, Mr. LANTOS, Mr. PAYNE, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, Ms. NORTON, Mr. OWENS, Ms. SOLIS, Mr. NADLER, Ms. KILPATRICK of Michigan, Ms. SCHAKOWSKY, Mr. PALLONE, Mr. SANDERS, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. CUMMINGS, Mr. GRIJALVA, Mr. AL GREEN of Texas, Ms. CORRINE BROWN of Florida, Mr. GUTIERREZ, Mr. HONDA, and Mr. CLEAVER) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day, One Day of Peace and Sharing, and for other purposes.

Whereas, in the year 2005, the people of the world suffered many calamitous events, including devastation from tsunami, terror attacks, war, famine, genocide, hurricanes, earthquakes, political and religious conflict, disease, poverty, and rioting, all necessitating global cooperation, compassion, and unity previously unprecedented among diverse cultures, faiths, and economic classes;

Whereas grave global challenges in the year 2006 may require cooperation and innovative problem-solving among citizens and nations on an even greater scale;

Whereas, on December 15, 2000, Congress adopted Senate Concurrent Resolution 138, expressing the sense of Congress that the President of the United States should issue a proclamation each year calling upon the people of the United States and interested organizations to observe an international day of peace and sharing at the beginning of each year;

Whereas, in 2001, the United Nations General Assembly adopted Resolution 56/2, which invited “Member States, intergovernmental and non-governmental organizations and all the peoples of the world to celebrate One Day in Peace, 1 January 2002, and every year thereafter”;

Whereas many foreign heads of state have recognized the importance of establishing Global Family Day, a special day of international unity, peace, and sharing, on the first day of each year;

Whereas Congress desires to express and demonstrate its appreciation to the citizens of the more than 100 countries who offered aid to United States hurricane victims, to make tangible efforts to reverse the growing mistrust of the United States, and to improve relations with others; and

Whereas family is the basic structure of humanity, thus, we must all look to the stability and love within our individual families to create stability in the global community: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That Congress urgently requests the fol-
3 lowing:

4 (1) That the President issue a proclamation an-
5 nually calling upon the people of the United States
6 to observe Global Family Day, One Day of Peace
7 and Sharing, a day which is dedicated—

8 (A) to eradicating violence, hunger, pov-
9 erty, and suffering; and

10 (B) to establishing greater trust and fel-
11 lowship among peace-loving nations and fami-
12 lies everywhere.

13 (2) That the President invite former Presidents
14 of the United States, Nobel laureates, and other
15 notables, including American business, labor, faith,
16 and civic leaders, to join the President in promoting
17 appropriate activities for Americans and in extend-
18 ing appropriate greetings from the families of Amer-
19 ica to families in the rest of the world.

○

109TH CONGRESS
2D SESSION

H. CON. RES. 415

Condemning the repression of the Iranian Baha'i community and calling
for the emancipation of Iranian Baha'is.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2006

Mr. KIRK (for himself and Mr. LANTOS) submitted the following concurrent
resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Condemning the repression of the Iranian Baha'i community
and calling for the emancipation of Iranian Baha'is.

Whereas in 1982, 1984, 1988, 1990, 1992, 1994, 1996, and
2000, Congress, by concurrent resolution, declared that it
deplores the religious persecution by the Government of
Iran of the Baha'i community and holds the Government
of Iran responsible for upholding the rights of all Iranian
nationals, including members of the Baha'i Faith;

Whereas on March 20, 2006, the United Nations Special
Rapporteur on Freedom of Religion or Belief, Ms. Asma
Jahangir, revealed the existence of a confidential letter
dated October 29, 2005, from the Chairman of the Com-
mand Headquarters of Iran's Armed Forces to the Min-
istry of Information, the Revolutionary Guard, and the
Police Force, stating that the Supreme Leader, Ayatollah

Khamenei, had instructed the Command Headquarters to identify members of the Baha'i Faith in Iran and monitor their activities;

Whereas the United Nations Special Rapporteur expressed "grave concern and apprehension" about the implications of this letter for the safety of the Baha'i community;

Whereas in 2005 the Iranian Government initiated a new wave of assaults, homes raids, harassment, and detentions against Baha'is, and in December 2005, Mr. Zabihullah Mahrami died after 10 years of imprisonment on charges of apostasy due to his membership in the Baha'i Faith; and

Whereas beginning in October 2005, an anti-Baha'i campaign has been conducted in the state-sponsored Kayhan newspaper and in broadcast media: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) condemns the Government of Iran for the
4 October 29, 2005 letter, calls on the Government of
5 Iran to immediately cease such activities and all ac-
6 tivities aimed at the repression of the Iranian Baha'i
7 community, and continues to hold the Government
8 of Iran responsible for upholding all the rights of its
9 nationals, including members of the Baha'i commu-
10 nity; and

11 (2) requests the President to—

12 (A) call for the Government of Iran to
13 emancipate the Baha'i community by granting

1 those rights guaranteed by the Universal Dec-
2 laration of Human Rights and other inter-
3 national covenants on human rights;

4 (B) emphasize that the United States re-
5 gards the human rights practices of the Govern-
6 ment of Iran, including its treatment of the
7 Baha'i community and other religious minori-
8 ties, as a significant factor in the foreign policy
9 of the United States Government regarding
10 Iran; and

11 (C) initiate an active and consistent dia-
12 logue with other governments and the European
13 Union in order to persuade the Government of
14 Iran to rectify its human rights practices.

○

109TH CONGRESS
2D SESSION

S. 2125

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2006

Referred to the Committee on International Relations

AN ACT

To promote relief, security, and democracy in the Democratic Republic of the Congo.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Democratic Republic
5 of the Congo Relief, Security, and Democracy Promotion
6 Act of 2006”.

1 **TITLE I—BILATERAL ACTION ON**
2 **ADDRESSING URGENT NEEDS**
3 **IN THE DEMOCRATIC REPUB-**
4 **LIC OF THE CONGO**

5 **SEC. 101. FINDINGS.**

6 Congress makes the following findings:

7 (1) The National Security Strategy of the
8 United States, dated September 17, 2002, concludes
9 that “[i]n Africa, promise and opportunity sit side-
10 by-side with disease, war, and desperate poverty.
11 This threatens both a core value of the United
12 States preserving human dignity and our strategic
13 priority combating global terror. American interests
14 and American principles, therefore, lead in the same
15 direction: we will work with others for an African
16 continent that lives in liberty, peace, and growing
17 prosperity.”

18 (2) On February 16, 2005, the Director of the
19 Central Intelligence Agency testified, “In Africa,
20 chronic instability will continue to hamper
21 counterterrorism efforts and pose heavy humani-
22 tarian and peacekeeping burdens.”

23 (3) According to the United States Agency for
24 International Development, “Given its size, popu-
25 lation, and resources, the Congo is an important

1 player in Africa and of long-term interest to the
2 United States.”

3 (4) The Democratic Republic of Congo is
4 2,345,410 square miles (approximately $\frac{1}{4}$ the size of
5 the United States), lies at the heart of Africa, and
6 touches every major region of sub-Saharan Africa.
7 Therefore, a secure, peaceful, and prosperous Demo-
8 cratic Republic of the Congo would have a profound
9 impact on progress throughout Africa.

10 (5) A mortality study completed in December
11 2004 by the International Rescue Committee found
12 that 31,000 people were dying monthly and
13 3,800,000 people had died in the previous 6 years
14 because of the conflict in the Democratic Republic of
15 the Congo and resulting disintegration of the social
16 service infrastructure and that “improving and
17 maintaining security and increasing simple, proven
18 and cost-effective interventions such as basic medical
19 care, immunizations and clean water would save
20 hundreds of thousands of lives in the Congo. There’s
21 no shortage of evidence. It’s sustained compassion
22 and political will that’s lacking.”

23 (6) The International Crisis Group concluded,
24 “The conflict in the Democratic Republic of the
25 Congo remains one of the deadliest conflicts since

1 World War II and has resulted in the loss of nearly
2 4 million lives since 1998. . . . The international com-
3 munity, and the United Nations Security Council in
4 particular, must take strong and urgent action to
5 support the transition, establish a national army and
6 secure lasting peace in the Democratic Republic of
7 the Congo, if it is to live up to its responsibility to
8 protect those in need.”

9 (7) According to the Department of State, “re-
10 turning one of Africa’s largest countries [the Demo-
11 cratic Republic of the Congo] to full peace and sta-
12 bility will require significant United States invest-
13 ments in support of national elections, the reintegra-
14 tion of former combatants, the return and reintegra-
15 tion of refugees and [internally displaced persons],
16 establishment of central government control over
17 vast territories, and promotion of national reconcili-
18 ation and good governance”.

19 (8) According to the 2005 Department of State
20 report on human rights practices in the Democratic
21 Republic of the Congo, “In all areas of the country,
22 the human rights record remained poor, and numer-
23 ous serious abuses were committed; however, there
24 were some improvements during the year.”.

1 **SEC. 102. STATEMENT OF POLICY.**

2 It is the policy of the United States—

3 (1) to promote, reinvigorate, and support the
4 political process in the Democratic Republic of the
5 Congo in order to press all parties in the Transi-
6 tional National Government to move forward with
7 approval of an electoral law and put in place mecha-
8 nisms, including national and international election
9 observers, fair and transparent voter registration
10 procedures, and a significant civic awareness and
11 public education campaign, to ensure that the elec-
12 tions scheduled to be held on July 30, 2006, and fu-
13 ture elections in the Democratic Republic of the
14 Congo are carried out in a fair and democratic man-
15 ner;

16 (2) to ensure that, once a stable national gov-
17 ernment is established in the Democratic Republic of
18 the Congo, it is committed to multiparty democracy,
19 open and transparent governance, respect for human
20 rights and religious freedom, ending the violence
21 throughout the country, promoting peace and sta-
22 bility with its neighbors, rehabilitating the national
23 judicial system and enhancing the rule of law, and
24 combating corruption;

25 (3) to assist the Government of the Democratic
26 Republic of the Congo in meeting the basic needs of

1 its citizens, including security, safety, and access to
2 health care, education, food, shelter, and clean
3 drinking water;

4 (4) to engage in security sector reform by help-
5 ing the Government of the Democratic Republic of
6 the Congo establish through the provision of nec-
7 essary equipment and training a viable and profes-
8 sional national army and police force that respects
9 human rights and the rule of law, is under effective
10 civilian control, and possesses a viable presence
11 throughout the entire country, including by contrib-
12 uting to the provision of necessary equipment and
13 training;

14 (5) to expedite planning and implementation of
15 programs associated with the disarmament, demobi-
16 lization, repatriation, reintegration, and rehabilita-
17 tion process in the Democratic Republic of the
18 Congo;

19 (6) to support efforts of the Government of the
20 Democratic Republic of the Congo, the United Na-
21 tions Peacekeeping Mission in the Democratic Re-
22 public of the Congo (MONUC), and other entities,
23 as appropriate, to disarm, demobilize, and repatriate
24 the Democratic Forces for the Liberation of Rwanda
25 and other illegally armed groups;

1 (7) to ensure that the Government of the
2 Democratic Republic of the Congo—

3 (A) is committed to responsible and trans-
4 parent management of natural resources across
5 the country; and

6 (B) takes active measures—

7 (i) to promote economic development;

8 (ii) to hold accountable individuals
9 who misuse the country's natural resources
10 for personal gain; and

11 (iii) to implement the Extractive In-
12 dustries Transparency Initiative by enact-
13 ing laws requiring disclosure and inde-
14 pendent auditing of company payments
15 and government receipts for natural re-
16 source extraction;

17 (8) to promote a viable civil society and to en-
18 hance nongovernmental organizations and institu-
19 tions, including religious organizations, the media,
20 political parties, trade unions, and trade and busi-
21 ness associations, that can act as a stabilizing force
22 and effective check on the government;

23 (9) to rebuild and enhance infrastructure, com-
24 munications, and other mechanisms that will in-
25 crease the ability of the central government to man-

1 age internal affairs, encourage economic develop-
2 ment, and facilitate relief efforts of humanitarian or-
3 ganizations;

4 (10) to halt the high prevalence of sexual abuse
5 and violence perpetrated against women and children
6 in the Democratic Republic of the Congo and miti-
7 gate the detrimental effects from acts of this type of
8 violence by undertaking a number of health, edu-
9 cation, and financial support measures, including
10 psycho-social programs, counseling, and HIV/AIDS
11 testing and treatment, and providing financial sup-
12 port;

13 (11) to work aggressively on a bilateral basis to
14 urge governments of countries contributing troops to
15 the United Nations Peacekeeping Mission in the
16 Democratic Republic of the Congo (MONUC) to
17 enact and enforce laws on trafficking in persons and
18 sexual abuse that meet international standards, pro-
19 mote codes of conduct for troops serving as part of
20 United Nations peacekeeping missions, and imme-
21 diately investigate and punish citizens who are re-
22 sponsible for abuses in the Democratic Republic of
23 the Congo;

24 (12) to undertake steps that—

1 (A) protect internally displaced persons
2 and refugees in the Democratic Republic of the
3 Congo and border regions from all forms of vio-
4 lence, including gender-based violence and other
5 human rights abuses;

6 (B) address other basic needs of vulnerable
7 populations with the goal of allowing these con-
8 flict-affected individuals to ultimately return to
9 their homes; and

10 (C) assess the magnitude of the problem in
11 the Democratic Republic of the Congo of or-
12 phans from conflict and HIV/AIDS, and work
13 to establish a program of national support;

14 (13) to engage with governments working to
15 promote peace and security throughout the Demo-
16 cratic Republic of the Congo and hold accountable
17 individuals, entities, and countries working to desta-
18 bilize the country; and

19 (14) to promote appropriate use of the forests
20 of the Democratic Republic of the Congo in a man-
21 ner that benefits the rural population in that coun-
22 try that depends on the forests for their livelihoods
23 and protects national and environmental interests.

1 **SEC. 103. BILATERAL ASSISTANCE TO THE DEMOCRATIC**
2 **REPUBLIC OF THE CONGO.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—In addition to amounts oth-
5 erwise available for such purposes, including
6 amounts from regional funds, there is authorized to
7 be appropriated \$52,000,000 for fiscal year 2006 for
8 bilateral assistance programs in the Democratic Re-
9 public of the Congo under the Foreign Assistance
10 Act of 1961 (22 U.S.C. 2151 et seq.), the Agricul-
11 tural Trade Development and Assistance Act of
12 1954 (68 Stat. 454, chapter 469), and the Arms Ex-
13 port Control Act (22 U.S.C. 2751 et seq.).

14 (2) AVAILABILITY OF FUNDS.—Amounts appro-
15 priated pursuant to paragraph (1) are authorized to
16 remain available until expended.

17 (b) USES OF ASSISTANCE.—Amounts appropriated
18 pursuant to subsection (a) shall be used to accomplish the
19 policy objectives in section 102.

20 (c) FUTURE YEAR FUNDING.—The Department of
21 State should submit budget requests in fiscal years 2007,
22 2008, and 2009 that contain increases in bilateral assist-
23 ance for the Democratic Republic of the Congo that are
24 appropriate and similar to the increase authorized under
25 subsection (a) for fiscal year 2006 if progress is being
26 made, particularly cooperation by the Government of the

1 Democratic Republic of the Congo, toward accomplishing
2 the objectives in section 102.

3 (d) OFFSETS.—Not later than 30 days after the date
4 of the enactment of this Act, the Secretary of State should
5 consult with the Chairmen and Ranking Members of the
6 Committee on Foreign Relations, the Committee on Ap-
7 propriations, and the Committee on the Budget of the
8 Senate and the Committee on International Relations, the
9 Committee on Appropriations, and the Committee on the
10 Budget of the House of Representatives to determine ap-
11 propriate reductions in funding, especially redundant or
12 duplicative programs, to offset the increase in funding au-
13 thorized in subsection (a).

14 (e) USES OF SECURITY ASSISTANCE.—Security as-
15 sistance that is authorized to be appropriated under this
16 section shall be made available consistent with section 551
17 of the Foreign Operations, Export Financing, and Related
18 Programs Appropriations Act, 2006 (Public Law 109–
19 102; 119 Stat. 2218) and other provisions of law related
20 to eligibility.

21 (f) COORDINATION WITH OTHER DONOR NA-
22 TIONS.—The United States should work with other donor
23 nations, on a bilateral and multilateral basis, to increase
24 international contributions to the Democratic Republic of

1 the Congo and accomplish the policy objectives described
2 in section 102.

3 **SEC. 104. ACCOUNTABILITY FOR THE GOVERNMENT OF**
4 **THE DEMOCRATIC REPUBLIC OF THE CONGO.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) the Government of the Democratic Republic
8 of the Congo must be committed to achieving the
9 policy objectives described in this Act if the efforts
10 of the United States and other members of the
11 international community are to be effective in bring-
12 ing relief, security, and democracy to the country;
13 and

14 (2) the international community, through the
15 United Nations peacekeeping mission, humanitarian
16 and development relief, and other forms of assist-
17 ance, is providing a substantial amount of funding
18 that is giving the Government of the Democratic Re-
19 public of the Congo an opportunity to make progress
20 towards accomplishing the policy objectives in sec-
21 tion 102, but this assistance cannot continue in per-
22 petuity.

23 (b) REPORT ON PROGRESS.—

24 (1) REPORT REQUIRED.—Not later than one
25 year after the date of the enactment of this Act, the

1 Comptroller General of the United States shall sub-
2 mit to Congress a report on the progress made to-
3 ward accomplishing the policy objectives described in
4 section 102.

5 (2) CONTENT.—The report required under
6 paragraph (1) shall include—

7 (A) a description of any major impedi-
8 ments that prevent the accomplishment of the
9 policy objectives described in section 102;

10 (B) an evaluation of United States policies
11 and foreign assistance programs designed to ac-
12 complish such policy objectives; and

13 (C) recommendations for—

14 (i) improving these policies and pro-
15 grams; and

16 (ii) any additional bilateral or multi-
17 lateral actions necessary to promote peace
18 and prosperity in the Democratic Republic
19 of the Congo.

20 (c) TERMINATION OF ASSISTANCE.—The Secretary
21 of State may withhold assistance otherwise available under
22 this Act if the Secretary determines and reports to Con-
23 gress that the Government of the Democratic Republic of
24 the Congo is not making sufficient progress towards ac-
25 complishing the policy objectives described in section 102.

1 **SEC. 105. STRATEGY ON PROMOTING HUMANITARIAN RE-**
2 **LIEF, SECURITY, AND DEMOCRACY IN THE**
3 **DEMOCRATIC REPUBLIC OF THE CONGO.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the President shall submit to the Com-
6 mittee on Foreign Relations and the Committee on Appro-
7 priations of the Senate and the Committee on Inter-
8 national Relations and the Committee on Appropriations
9 of the House of Representatives a report setting forth a
10 strategy for achieving the policy objectives described in
11 section 102, including a description of an effective mecha-
12 nism for coordination of United States Government efforts
13 to implement this strategy.

14 **SEC. 106. SPECIAL ENVOY FOR THE GREAT LAKES REGION.**

15 (a) **IN GENERAL.**—Not later than 60 days after the
16 date of the enactment of this Act, the President should
17 appoint a Special Envoy for the Great Lakes Region to
18 resolve the instability and insecurity in Eastern Congo,
19 which is the result of multiple international and domestic
20 factors, and to enhance the regional harmonization of
21 United States policies and assistance programs.

22 (b) **CONSULTATION.**—In appointing the Special
23 Envoy, the President should consult with the Majority
24 Leader and Minority Leader of the Senate, the Speaker
25 and Minority Leader of the House of Representatives, and
26 the Chairmen and Ranking Members of the Committee on

1 Foreign Relations of the Senate and the Committee on
2 International Relations of the House of Representatives.

3 (c) ELIGIBILITY OF DEPARTMENT OF STATE EM-
4 PLOYEES.—The individual designated to serve as the Spe-
5 cial Envoy may be an employee of the Department of
6 State with the rank of Deputy Assistant Secretary or
7 higher.

8 **TITLE II—MULTILATERAL AC-**
9 **TIONS TO ADDRESS URGENT**
10 **NEEDS IN THE DEMOCRATIC**
11 **REPUBLIC OF THE CONGO**

12 **SEC. 201. PROMOTION OF UNITED STATES POLICY TOWARD**
13 **THE DEMOCRATIC REPUBLIC OF THE CONGO**
14 **IN THE UNITED NATIONS SECURITY COUN-**
15 **CIL.**

16 The United States shall use its voice and vote in the
17 United Nations Security Council—

18 (1) to address exploitation at the United Na-
19 tions Peacekeeping Mission in the Democratic Re-
20 public of the Congo (MONUC) by urging, when
21 credible allegations exist, appropriate investigation
22 of alleged perpetrators and, as necessary, prosecu-
23 tion of United Nations personnel responsible for sex-
24 ual abuses in the Democratic Republic of the Congo;

1 (2) to ensure that appropriate guidelines, codes
2 of conduct, and programs for the prevention of sexual
3 abuse and trafficking in persons are undertaken
4 by the United Nations;

5 (3) to strengthen the authority and capacity of
6 MONUC by—

7 (A) providing specific authority and obligation
8 to prevent and effectively counter imminent
9 threats;

10 (B) clarifying and strengthening
11 MONUC's rules of engagement to enhance the
12 protection of vulnerable civilian populations;

13 (C) enhancing the surveillance and intelligence-gathering
14 capabilities available to
15 MONUC;

16 (D) where consistent with United States
17 policy, making available personnel, communications, and military assets that improve the effectiveness of robust peacekeeping, mobility,
18 and command and control capabilities of
19 MONUC; and

22 (E) providing MONUC with the authority
23 and resources needed to support efforts surrounding national elections and the referendum
24 on the constitution, and to monitor arms traf-
25

1 ficking and natural resource exploitation at key
2 border posts and airfields in the eastern part of
3 the Democratic Republic of the Congo;

4 (4) to encourage regular visits of the United
5 Nations Security Council to monitor the situation in
6 the Democratic Republic of the Congo;

7 (5) to ensure that the practice of recruiting and
8 arming children in the Democratic Republic of the
9 Congo is immediately halted pursuant to Security
10 Council Resolutions 1460 (2003) and 1539 (2004);

11 (6) to strengthen the arms embargo imposed
12 pursuant to Security Council Resolution 1493
13 (2003) and ensure that violators are held account-
14 able through appropriate measures, including the
15 possible imposition of sanctions;

16 (7) to allow for the more effective protection
17 and monitoring of natural resources in the Demo-
18 cratic Republic of the Congo, especially in the east-
19 ern part of the country, and for public disclosure
20 and independent auditing of natural resource reve-
21 nues to help ensure transparent and accountable
22 management of these revenues;

23 (8) to press countries in the Congo region to
24 help facilitate an end to the violence in the Demo-

1 cratic Republic of the Congo and promote relief, pre-
2 security, and democracy throughout the region; and

3 (9) to encourage the United Nations Secretary-
4 General to become more involved in completing the
5 policy objectives described in paragraphs (1) and (2)
6 of section 102 and ensure that recent fighting in
7 North Kivu, which displaced over 150,000 people, as
8 well as fighting in Ituri and other areas, does not
9 create widespread instability throughout the country.

10 **SEC. 202. INCREASING CONTRIBUTIONS AND OTHER HU-**
11 **MANITARIAN AND DEVELOPMENT ASSIST-**
12 **ANCE THROUGH INTERNATIONAL ORGANIZA-**
13 **TIONS.**

14 (a) IN GENERAL.—The President shall instruct the
15 United States permanent representative or executive direc-
16 tor, as the case may be, to the United Nations voluntary
17 agencies, including the World Food Program, the United
18 Nations Development Program, and the United Nations
19 High Commissioner for Refugees, international financial
20 institutions, and other appropriate international organiza-
21 tions to use the voice and vote of the United States to
22 support additional humanitarian and development assist-
23 ance for the Democratic Republic of the Congo in order
24 to accomplish the objectives described in section 102.

1 (b) SUPPORT CONTINGENT ON PROGRESS.—If the
2 Secretary of State determines that the Government of the
3 Democratic Republic of the Congo is not making sufficient
4 progress towards accomplishing the policy objectives in
5 section 102, the President shall consider withdrawing
6 United States support for the assistance described in sub-
7 section (a) when future funding decisions are considered.

Passed the Senate June 29, 2006.

Attest: EMILY J. REYNOLDS,
Secretary.

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO S. 2125
OFFERED BY MR. LANTOS**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Democratic Republic
3 of the Congo Relief, Security, and Democracy Promotion
4 Act of 2006”.

5 **TITLE I—BILATERAL ACTION ON**
6 **ADDRESSING URGENT NEEDS**
7 **IN THE DEMOCRATIC REPUB-**
8 **LIC OF THE CONGO**

9 **SEC. 101. FINDINGS.**

10 Congress makes the following findings:

11 (1) The National Security Strategy of the
12 United States, dated September 17, 2002, concludes
13 that “[i]n Africa, promise and opportunity sit side-
14 by-side with disease, war, and desperate poverty.
15 This threatens both a core value of the United
16 States preserving human dignity and our strategic
17 priority combating global terror. American interests
18 and American principles, therefore, lead in the same

1 direction: we will work with others for an African
2 continent that lives in liberty, peace, and growing
3 prosperity.”

4 (2) On February 16, 2005, the Director of the
5 Central Intelligence Agency testified, “In Africa,
6 chronic instability will continue to hamper
7 counterterrorism efforts and pose heavy humani-
8 tarian and peacekeeping burdens.”

9 (3) According to the United States Agency for
10 International Development, “Given its size, popu-
11 lation, and resources, the Congo is an important
12 player in Africa and of long-term interest to the
13 United States.”

14 (4) The Democratic Republic of the Congo is
15 2,345,410 square miles (approximately $\frac{1}{4}$ the size of
16 the United States), lies at the heart of Africa, and
17 touches every major region of sub-Saharan Africa.
18 Therefore, a secure, peaceful, and prosperous Demo-
19 cratic Republic of the Congo would have a profound
20 impact on progress throughout Africa.

21 (5) A mortality study completed in December
22 2004 by the International Rescue Committee found
23 that 31,000 people were dying monthly and
24 3,800,000 people had died in the previous 6 years
25 because of the conflict in the Democratic Republic of

1 the Congo and resulting disintegration of the social
2 service infrastructure and that “improving and
3 maintaining security and increasing simple, proven
4 and cost-effective interventions such as basic medical
5 care, immunizations and clean water would save
6 hundreds of thousands of lives in the Congo. There’s
7 no shortage of evidence. It’s sustained compassion
8 and political will that’s lacking.”

9 (6) In 2004, Amnesty International estimated
10 that at least 40,000 women and girls were system-
11 atically raped and tortured since conflict erupted in
12 the Democratic Republic of the Congo in 1998.

13 (7) Nearly two-thirds of abuses against women
14 and girls are perpetrated by members of the security
15 forces, particularly the Forces Armes de la Repub-
16 lique Democratique du Congo (FAREC) and the Po-
17 lice Nationale Congolaise (PNC).

18 (8) The International Crisis Group concluded,
19 “The conflict in the Democratic Republic of the
20 Congo remains one of the deadliest conflicts since
21 World War II and has resulted in the loss of nearly
22 4 million lives since 1998. . . . The international
23 community, and the United Nations Security Coun-
24 cil in particular, must take strong and urgent action
25 to support the transition, establish a national army

1 and secure lasting peace in the Democratic Republic
2 of the Congo, if it is to live up to its responsibility
3 to protect those in need.”

4 (9) According to the Department of State, “re-
5 turning one of Africa’s largest countries [the Demo-
6 cratic Republic of the Congo] to full peace and sta-
7 bility will require significant United States invest-
8 ments in support of national elections, the reintegra-
9 tion of former combatants, the return and reintegra-
10 tion of refugees and [internally displaced persons],
11 establishment of central government control over
12 vast territories, and promotion of national reconcili-
13 ation and good governance”.

14 (10) According to the 2005 Department of
15 State report on human rights practices in the Demo-
16 cratic Republic of the Congo, “In all areas of the
17 country, the human rights record remained poor,
18 and numerous serious abuses were committed; how-
19 ever, there were some improvements during the
20 year.”.

21 **SEC. 102. STATEMENT OF POLICY.**

22 It is the policy of the United States—

23 (1) to help promote, reinvigorate, and support
24 the political process in the Democratic Republic of
25 the Congo in order to press all parties in the Transi-

1 tional National Government and the succeeding gov-
2 ernment to implement fully and to institutionalize
3 mechanisms, including national and international
4 election observers, fair and transparent voter reg-
5 istration procedures, and a significant civic aware-
6 ness and public education campaign created for the
7 July 30, 2006, elections and future elections in the
8 Democratic Republic of the Congo, to ensure that
9 elections are carried out in a fair and democratic
10 manner;

11 (2) to urge the Government of the Democratic
12 Republic of the Congo to recognize and act upon its
13 responsibilities to immediately bring discipline to its
14 security forces, hold those individuals responsible for
15 atrocities and other human rights violations, particu-
16 larly the rape of women and girls as an act of war,
17 accountable and bring such individuals to justice;

18 (3) to help ensure that, once a stable national
19 government is established in the Democratic Repub-
20 lic of the Congo, it is committed to multiparty de-
21 mocracy, open and transparent governance, respect
22 for human rights and religious freedom, ending the
23 violence throughout the country, promoting peace
24 and stability with its neighbors, rehabilitating the

1 national judicial system and enhancing the rule of
2 law, and combating corruption;

3 (4) to assist the Government of the Democratic
4 Republic of the Congo in meeting the basic needs of
5 its citizens, including security, safety, and access to
6 health care, education, food, shelter, and clean
7 drinking water;

8 (5) to support security sector reform by assist-
9 ing the Government of the Democratic Republic of
10 the Congo to establish a viable and professional na-
11 tional army and police force that respects human
12 rights and the rule of law, is under effective civilian
13 control, and possesses a viable presence throughout
14 the entire country, provided the Democratic Repub-
15 lic of the Congo meets all requirements for United
16 States military assistance under existing law;

17 (6) to help expedite planning and implementa-
18 tion of programs associated with the disarmament,
19 demobilization, repatriation, reintegration, and reha-
20 bilitation process in the Democratic Republic of the
21 Congo;

22 (7) to support efforts of the Government of the
23 Democratic Republic of the Congo, the United Na-
24 tions Peacekeeping Mission in the Democratic Re-
25 public of the Congo (MONUC), and other entities,

1 as appropriate, to disarm, demobilize, and repatriate
2 the Democratic Forces for the Liberation of Rwanda
3 and other illegally armed groups;

4 (8) to make all efforts to ensure that the Gov-
5 ernment of the Democratic Republic of the Congo—

6 (A) is committed to responsible and trans-
7 parent management of natural resources across
8 the country; and

9 (B) takes active measures—

10 (i) to promote economic development;

11 (ii) to hold accountable individuals
12 who misuse the country's natural resources
13 for personal gain; and

14 (iii) to implement the Extractive In-
15 dustries Transparency Initiative by enact-
16 ing laws requiring disclosure and inde-
17 pendent auditing of company payments
18 and government receipts for natural re-
19 source extraction;

20 (9) to promote a viable civil society and to en-
21 hance nongovernmental organizations and institu-
22 tions, including religious organizations, the media,
23 political parties, trade unions, and trade and busi-
24 ness associations, that can act as a stabilizing force
25 and effective check on the government;

1 (10) to help rebuild and enhance infrastructure,
2 communications, and other mechanisms that will in-
3 crease the ability of the central government to man-
4 age internal affairs, encourage economic develop-
5 ment, and facilitate relief efforts of humanitarian or-
6 ganizations;

7 (11) to help halt the high prevalence of sexual
8 abuse and violence perpetrated against women and
9 children in the Democratic Republic of the Congo
10 and mitigate the detrimental effects from acts of
11 this type of violence by undertaking a number of
12 health, education, and social support measures, in-
13 cluding psycho-social programs, counseling, and
14 HIV/AIDS testing and treatment, and providing eco-
15 nomic opportunities;

16 (12) to work aggressively on a bilateral basis to
17 urge governments of countries contributing troops to
18 the United Nations Peacekeeping Mission in the
19 Democratic Republic of the Congo (MONUC) to
20 enact and enforce laws on trafficking in persons and
21 sexual abuse that meet international standards, pro-
22 mote codes of conduct for troops serving as part of
23 United Nations peacekeeping missions, and imme-
24 diately investigate and punish citizens who are re-

1 sponsible for abuses in the Democratic Republic of
2 the Congo;

3 (13) to undertake steps that—

4 (A) protect internally displaced persons
5 and refugees in the Democratic Republic of the
6 Congo and border regions from all forms of vio-
7 lence, including gender-based violence and other
8 human rights abuses;

9 (B) address other basic needs of vulnerable
10 populations with the goal of allowing these con-
11 flict-affected individuals to ultimately return to
12 their homes; and

13 (C) assess the magnitude of the problem in
14 the Democratic Republic of the Congo of or-
15 phans from conflict and HIV/AIDS, and work
16 to establish a program of national support;

17 (14) to engage with governments working to
18 promote peace and security throughout the Demo-
19 cratic Republic of the Congo and hold accountable
20 individuals, entities, and countries working to desta-
21 bilize the country; and

22 (15) to promote appropriate use of the forests
23 of the Democratic Republic of the Congo in a man-
24 ner that benefits the rural population in that coun-

1 try that depends on the forests for their livelihoods
2 and protects national and environmental interests.

3 **SEC. 103. BILATERAL ASSISTANCE TO THE DEMOCRATIC**
4 **REPUBLIC OF THE CONGO.**

5 (a) FUNDING FOR FISCAL YEARS 2006 AND 2007.—
6 Of the amounts made available to carry out the Foreign
7 Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the Agri-
8 cultural Trade Development and Assistance Act of 1954
9 (68 Stat. 454, chapter 469), and the Arms Export Control
10 Act (22 U.S.C. 2751 et seq.) for fiscal year 2006 and
11 2007, at least \$52,000,000 for each such fiscal year
12 should be allocated for bilateral assistance programs in the
13 Democratic Republic of the Congo.

14 (b) FUTURE YEAR FUNDING.—It is the sense of Con-
15 gress that the Department of State should submit budget
16 requests in fiscal years 2008 and 2009 that contain in-
17 creases in bilateral assistance for the Democratic Republic
18 of the Congo that are appropriate if progress is being
19 made, particularly cooperation by the Government of the
20 Democratic Republic of the Congo, toward accomplishing
21 the objectives in section 102.

22 (c) COORDINATION WITH OTHER DONOR NA-
23 TIONS.—The United States should work with other donor
24 nations, on a bilateral and multilateral basis, to increase
25 international contributions to the Democratic Republic of

1 the Congo and accomplish the policy objectives described
2 in section 102.

3 **SEC. 104. ACCOUNTABILITY FOR THE GOVERNMENT OF**
4 **THE DEMOCRATIC REPUBLIC OF THE CONGO.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) the Government of the Democratic Republic
8 of the Congo must be committed to achieving the
9 policy objectives described in this Act if the efforts
10 of the United States and other members of the
11 international community are to be effective in bring-
12 ing relief, security, and democracy to the country;

13 (2) the Government of the Democratic Republic
14 of the Congo should immediately exercise control
15 over and discipline its armed forces, stop the mass
16 rapes at the hands of its armed forces, and hold
17 those responsible for these acts accountable before
18 an appropriate tribunal;

19 (3) the Government of the Democratic Republic
20 of the Congo, in collaboration with international aid
21 agencies, should establish expert teams to assess the
22 needs of the victims of rape and provide health,
23 counseling, and social support services that such vic-
24 tims need; and

1 (4) the international community, through the
2 United Nations peacekeeping mission, humanitarian
3 and development relief, and other forms of assist-
4 ance, is providing a substantial amount of funding
5 that is giving the Government of the Democratic Re-
6 public of the Congo an opportunity to make progress
7 towards accomplishing the policy objectives in sec-
8 tion 102, but this assistance cannot continue in per-
9 petuity.

10 (b) TERMINATION OF ASSISTANCE.—It is the sense
11 of Congress that the Secretary of State should withhold
12 assistance otherwise available under this Act if the Sec-
13 retary determines that the Government of the Democratic
14 Republic of the Congo is not making sufficient progress
15 towards accomplishing the policy objectives described in
16 section 102.

17 **SEC. 105. STRATEGY ON PROMOTING HUMANITARIAN RE-**
18 **LIEF, SECURITY, AND DEMOCRACY IN THE**
19 **DEMOCRATIC REPUBLIC OF THE CONGO.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the President shall submit to the Com-
22 mittee on Foreign Relations and the Committee on Appro-
23 priations of the Senate and the Committee on Inter-
24 national Relations and the Committee on Appropriations
25 of the House of Representatives a report setting forth a

1 strategy for achieving the policy objectives described in
2 section 102, including a description of an effective mecha-
3 nism for coordination of United States Government efforts
4 to implement this strategy.

5 **SEC. 106. SPECIAL ENVOY FOR THE GREAT LAKES REGION.**

6 Not later than 60 days after the date of the enact-
7 ment of this Act, the President should appoint a Special
8 Envoy for the Great Lakes Region to help resolve the in-
9 stability and insecurity in Eastern Congo.

10 **TITLE II—MULTILATERAL AC-**
11 **TIONS TO ADDRESS URGENT**
12 **NEEDS IN THE DEMOCRATIC**
13 **REPUBLIC OF THE CONGO**

14 **SEC. 201. PROMOTION OF UNITED STATES POLICY TOWARD**
15 **THE DEMOCRATIC REPUBLIC OF THE CONGO**
16 **IN THE UNITED NATIONS SECURITY COUN-**
17 **CIL.**

18 The United States should use its voice and vote in
19 the United Nations Security Council—

20 (1) to address exploitation at the United Na-
21 tions Peacekeeping Mission in the Democratic Re-
22 public of the Congo (MONUC) by continuing to
23 urge, when credible allegations exist, appropriate in-
24 vestigation of alleged perpetrators and, as necessary,
25 prosecution of United Nations personnel responsible

1 for sexual abuses in the Democratic Republic of the
2 Congo;

3 (2) to conclude at the earliest possible date a
4 Memorandum of Understanding relating to binding
5 codes of conduct and programs for the prevention of
6 sexual abuse and trafficking in persons to be under-
7 taken by the United Nations for all countries that
8 contribute troops to MONUC, to include paternity
9 and child support for victims and children of soldiers
10 responsible once identified;

11 (3) to strengthen the authority and capacity of
12 MONUC by—

13 (A) providing specific authority and obliga-
14 tion to prevent and effectively counter imminent
15 threats;

16 (B) clarifying and strengthening
17 MONUC's rules of engagement to enhance the
18 protection of vulnerable civilian populations;

19 (C) enhancing the surveillance and intel-
20 ligence-gathering capabilities available to
21 MONUC;

22 (D) where consistent with United States
23 policy, making available personnel, communica-
24 tions, and military assets that improve the ef-
25 fectiveness of robust peacekeeping, mobility,

1 and command and control capabilities of
2 MONUC; and

3 (E) providing MONUC with the authority
4 and resources needed to monitor arms traf-
5 ficking and natural resource exploitation at key
6 border posts and airfields in the eastern part of
7 the Democratic Republic of the Congo;

8 (4) to encourage regular visits of the United
9 Nations Security Council to monitor the situation in
10 the Democratic Republic of the Congo;

11 (5) to ensure that the practice of recruiting and
12 arming children in the Democratic Republic of the
13 Congo is immediately halted pursuant to Security
14 Council Resolutions 1460 (2003) and 1539 (2004);

15 (6) to strengthen the arms embargo imposed
16 pursuant to Security Council Resolution 1493
17 (2003) and ensure that violators are held account-
18 able through appropriate measures, including the
19 possible imposition of sanctions;

20 (7) to allow for the more effective protection
21 and monitoring of natural resources in the Demo-
22 cratic Republic of the Congo, especially in the east-
23 ern part of the country, and for public disclosure
24 and independent auditing of natural resource reve-

1 nues to help ensure transparent and accountable
2 management of these revenues;

3 (8) to press countries in the Congo region to
4 help facilitate an end to the violence in the Demo-
5 cratic Republic of the Congo and promote relief, se-
6 curity, and democracy throughout the region; and

7 (9) to encourage the United Nations Secretary-
8 General to become more involved in completing the
9 policy objectives described in paragraphs (1) and (2)
10 of section 102 and ensure that recent fighting in
11 North Kivu, which displaced over 150,000 people, as
12 well as fighting in Ituri and other areas, does not
13 create widespread instability throughout the country.

14 **SEC. 202. INCREASING CONTRIBUTIONS AND OTHER HU-**
15 **MANITARIAN AND DEVELOPMENT ASSIST-**
16 **ANCE THROUGH INTERNATIONAL ORGANIZA-**
17 **TIONS.**

18 (a) IN GENERAL.—The President should instruct the
19 United States permanent representative or executive direc-
20 tor, as the case may be, to the United Nations voluntary
21 agencies, including the World Food Program, the United
22 Nations Development Program, and the United Nations
23 High Commissioner for Refugees, and other appropriate
24 international organizations to use the voice and vote of
25 the United States to support additional humanitarian and

1 development assistance for the Democratic Republic of the
2 Congo in order to accomplish the objectives described in
3 section 102.

4 (b) SUPPORT CONTINGENT ON PROGRESS.—If the
5 Secretary of State determines that the Government of the
6 Democratic Republic of the Congo is not making sufficient
7 progress towards accomplishing the policy objectives in
8 section 102, the President shall consider withdrawing
9 United States support for the assistance described in sub-
10 section (a) when future funding decisions are considered.

109TH CONGRESS
2D SESSION

S. 3836

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2006

Referred to the Committee on International Relations

AN ACT

To reauthorize the United States Advisory Commission on
Public Diplomacy.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Advisory
5 Commission on Public Diplomacy Reauthorization Act of
6 2006”.

1 **SEC. 2. REAUTHORIZATION OF UNITED STATES ADVISORY**
2 **COMMISSION ON PUBLIC DIPLOMACY.**

3 Section 1334 of the Foreign Affairs Reform and Re-
4 structuring Act of 1998 (22 U.S.C. 6553), as amended
5 by section 410 of the Department of State and Related
6 Agency Appropriations Act, 2006 (Public Law 109–108;
7 119 Stat. 2327), is amended by striking “October 1,
8 2006” and inserting “October 1, 2009”.

Passed the Senate August 3, 2006.

Attest: EMILY J. REYNOLDS,
Secretary.

.....
(Original Signature of Member)

109TH CONGRESS
2D SESSION

H. R. 6060

To authorize certain activities by the Department of State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of New Jersey (for himself and Mr. LANTOS) introduced the following bill; which was referred to the Committee on

A BILL

To authorize certain activities by the Department of State, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Department of State Authorities Act of 2006”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Fraud prevention and detection account.
- Sec. 3. Education allowances.
- Sec. 4. Protection of refugees from North Korea.
- Sec. 5. Interference with protective functions.
- Sec. 6. Incitement to acts of discrimination.
- Sec. 7. Persons excused from payment of fees for execution and issuance of passports.
- Sec. 8. Authority to administratively amend surcharges.
- Sec. 9. Extension of privileges and immunities.
- Sec. 10. Property disposition.
- Sec. 11. Services for children with autism at overseas missions.
- Sec. 12. Removal of contracting prohibition.
- Sec. 13. Assistance for maternal and prenatal care for certain individuals of Belarus and Ukraine affected by the Chernobyl disaster.
- Sec. 14. Foreign Service pay for performance system.
- Sec. 15. Pay for performance interim schedule.
- Sec. 16. Uniform compensation for worldwide service.
- Sec. 17. Technical and conforming amendments.
- Sec. 18. Dual gateway policy of the Government of Ireland.
- Sec. 19. Personal services contracting program.
- Sec. 20. Worldwide availability.

1 **SEC. 2. FRAUD PREVENTION AND DETECTION ACCOUNT.**

2 Section 286(v)(2)(A) of the Immigration and Nation-
 3 ality Act (8 U.S.C. 1356(v)(2)(A)) is amended—

4 (1) in clause (i), by inserting “or primarily”
 5 after “exclusively”; and

6 (2) by amending clause (ii) to read as follows:

7 “(ii) otherwise to prevent and detect
 8 visa fraud, including primarily fraud by
 9 applicants for visas described in subpara-
 10 graph (H)(i), (H)(ii), or (L) of section
 11 101(a)(15), in cooperation with the Sec-
 12 retary of Homeland Security or pursuant
 13 to the terms of a memorandum of under-
 14 standing or other agreement between the

1 Secretary of State and the Secretary of
2 Homeland Security; and”.

3 **SEC. 3. EDUCATION ALLOWANCES.**

4 Section 5924(4) of title 5, United States Code, is
5 amended—

6 (1) in the first sentence of subparagraph (A),
7 by inserting “United States” after “nearest”;

8 (2) by amending subparagraph (B) to read as
9 follows:

10 “(B) The travel expenses of dependents of
11 an employee to and from a secondary or post-
12 secondary educational institution, not to exceed
13 one annual trip each way for each dependent,
14 except that an allowance payment under sub-
15 paragraph (A) may not be made for a depend-
16 ent during the 12 months following the arrival
17 of the dependent at the selected educational in-
18 stitution under authority contained in this sub-
19 paragraph.”; and

20 (3) by adding at the end the following:

21 “(D) Allowances provided pursuant to sub-
22 paragraphs (A) and (B) may include, at the
23 election of the employee, payment or reimburse-
24 ment of the costs incurred to store baggage for
25 the employee’s dependent at or in the vicinity of

1 the dependent's school during the dependent's
2 annual trip between the school and the employ-
3 ee's duty station, except that such payment or
4 reimbursement may not exceed the cost that the
5 Government would incur to transport the bag-
6 gage in connection with the annual trip, and
7 such payment or reimbursement shall be in lieu
8 of transportation of the baggage.”.

9 **SEC. 4. PROTECTION OF REFUGEES FROM NORTH KOREA.**

10 (a) RESPONSIBILITIES OF THE SPECIAL ENVOY ON
11 HUMAN RIGHTS IN NORTH KOREA.—Section 107(c) of
12 the North Korean Human Rights Act of 2004 (Public Law
13 108–333) is amended—

14 (1) in paragraph (5), by striking “and” at the
15 end;

16 (2) in paragraph (6), by striking the period at
17 the end and inserting “; and”; and

18 (3) by adding at the end the following new
19 paragraph:

20 “(7) help coordinate efforts by the Secretary of
21 State to assist North Korean refugees and migrants,
22 including the activities directed by section 303.”.

23 (b) REPORTING REQUIREMENTS.—Section 305(a) of
24 the North Korean Human Rights Act of 2004 is
25 amended—

1 (1) in paragraph (1), by striking “and” at the
2 end;

3 (2) in paragraph (2), by striking the period at
4 the end and inserting “; and”; and

5 (3) by adding at the end the following new
6 paragraph:

7 “(3) a detailed description of the measures un-
8 dertaken by the Secretary of State to carry out sec-
9 tion 303, including country-specific information with
10 respect to United States efforts to secure the co-
11 operation and permission of the governments of
12 countries in East and Southeast Asia to facilitate
13 United States processing of North Koreans seeking
14 protection as refugees. The information required by
15 this paragraph may be provided in a classified for-
16 mat, if necessary.”.

17 **SEC. 5. INTERFERENCE WITH PROTECTIVE FUNCTIONS.**

18 (a) OFFENSE.—Chapter 7 of title 18, United States
19 Code, is amended by adding at the end the following:

20 **“§ 118. Interference with certain protective functions**

21 “Any person who knowingly and willfully obstructs,
22 resists, or interferes with a Federal law enforcement agent
23 engaged, within the United States or the special maritime
24 territorial jurisdiction of the United States, in the per-
25 formance of the protective functions authorized under sec-

1 tion 37 of the State Department Basic Authorities Act
2 of 1956 (22 U.S.C. 2709) or section 103 of the Diplomatic
3 Security Act (22 U.S.C. 4802) shall be fined under this
4 title, imprisoned not more than 1 year, or both.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of such chapter is amended by adding
7 at the end the following:

“Sec. 118. Interference with certain protective functions.”.

8 **SEC. 6. INCITEMENT TO ACTS OF DISCRIMINATION.**

9 (a) INCLUSION OF INFORMATION RELATING TO IN-
10 CITEMENT TO ACTS OF DISCRIMINATION IN ANNUAL
11 COUNTRY REPORTS ON HUMAN RIGHT PRACTICES.—

12 (1) COUNTRIES RECEIVING ECONOMIC ASSIST-
13 ANCE.—Section 116(d) of the Foreign Assistance
14 Act of 1961 (22 U.S.C. 2151n(d)) is amended—

15 (A) in paragraph (10), by striking “and”
16 at the end;

17 (B) in paragraph (11)(C), by striking the
18 period at the end and inserting “; and”; and

19 (C) by adding at the end the following new
20 paragraph:

21 “(12) wherever applicable, a description of the
22 nature and extent of—

23 “(A) propaganda in foreign government
24 and foreign government-controlled media and
25 other sources, including foreign government-

1 produced educational materials and textbooks,
2 that attempt to justify or promote racial hatred
3 or incite acts of violence against any race or
4 people;

5 “(B) complicity or involvement by the for-
6 eign government in the creation of such propa-
7 ganda or incitement of acts of violence against
8 any race or people; and

9 “(C) a description of the actions, if any,
10 taken by the foreign government to eliminate
11 such propaganda or incitement.”.

12 (2) COUNTRIES RECEIVING SECURITY ASSIST-
13 ANCE.—Section 502B(b) of the Foreign Assistance
14 Act of 1961 (22 U.S.C. 2304(b)) is amended by in-
15 serting after the ninth sentence the following new
16 sentence: “Each report under this section shall also
17 include, wherever applicable, a description of the na-
18 ture and extent of propaganda in foreign govern-
19 ment and foreign government-controlled media and
20 other sources, including foreign government-pro-
21 duced educational materials and textbooks, that at-
22 tempt to justify or promote racial hatred or incite
23 acts of violence against any race or people, com-
24 plicity or involvement by the foreign government in
25 the creation of such propaganda or incitement of

1 acts of violence against any race or people, and a de-
2 scription of the actions, if any, taken by the foreign
3 government to eliminate such propaganda or incite-
4 ment.”.

5 (b) EFFECTIVE DATE OF AMENDMENTS.—The
6 amendments made by subsection (a) shall take effect on
7 the date of the enactment of this Act and apply beginning
8 with the first report submitted by the Secretary of State
9 under sections 116(d) and 502B(b) of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) after
11 such date.

12 **SEC. 7. PERSONS EXCUSED FROM PAYMENT OF FEES FOR**
13 **EXECUTION AND ISSUANCE OF PASSPORTS.**

14 Section 1 of the Act of June 4, 1920 (22 U.S.C. 214)
15 is amended—

16 (1) by striking “or from a widow” and inserting
17 “from a widow”; and

18 (2) by inserting “; or from an individual or in-
19 dividuals abroad, returning to the United States,
20 when the Secretary determines that foregoing the
21 collection of such fee is justified for humanitarian
22 reasons or for law enforcement purposes” after
23 “such member” the second place it appears.

1 **SEC. 8. AUTHORITY TO ADMINISTRATIVELY AMEND SUR-**
2 **CHARGES.**

3 (a) IN GENERAL.—Beginning in fiscal year 2007 and
4 thereafter, the Secretary of State is authorized to amend
5 administratively the amounts of the surcharges related to
6 consular services in support of enhanced border security
7 (provided for in the last paragraph under the heading
8 “DIPLOMATIC AND CONSULAR PROGRAMS” under title
9 IV of division B of the Consolidated Appropriations Act,
10 2005 (Public Law 108–447)) that are in addition to the
11 passport and immigrant visa fees in effect on January 1,
12 2004.

13 (b) REQUIREMENTS.—In carrying out subsection (a)
14 and the provision of law described in such subsection, the
15 Secretary shall meet the following requirements:

16 (1) The amounts of the surcharges shall be rea-
17 sonably related to the costs of providing services in
18 connection with the activity or item for which the
19 surcharges are charged.

20 (2) The aggregate amount of surcharges col-
21 lected may not exceed the aggregate amount obli-
22 gated and expended for the costs related to consular
23 services in support of enhanced border security in-
24 curred in connection with the activity or item for
25 which the surcharges are charged.

1 (3) A surcharge may not be collected except to
2 the extent the surcharge will be obligated and ex-
3 pended to pay the costs related to consular services
4 in support of enhanced border security incurred in
5 connection with the activity or item for which the
6 surcharge is charged.

7 (4) A surcharge shall be available for obligation
8 and expenditure only to pay the costs related to con-
9 sular services in support of enhanced border security
10 incurred in providing services in connection with the
11 activity or item for which the surcharge is charged.

12 **SEC. 9. EXTENSION OF PRIVILEGES AND IMMUNITIES.**

13 (a) THE AFRICAN UNION.—Section 12 of the Inter-
14 national Organizations Immunities Act (22 U.S.C. 288f–
15 2) is amended—

16 (1) in the header, by striking “ORGANIZATION
17 OF AFRICAN UNITY” and inserting “AFRICAN
18 UNION”;

19 (2) by inserting “(a)” before “The provisions”;
20 and

21 (3) by adding at the end the following:

22 “(b) Under such terms and conditions as the Presi-
23 dent shall determine, consistent with the purposes of this
24 title, the President is authorized to extend, or enter into
25 an agreement to extend, to the African Union Mission to

1 the United States of America, and to its members, the
2 privileges and immunities enjoyed by diplomatic missions
3 accredited to the United States, and by members of such
4 missions, subject to corresponding conditions and obliga-
5 tions.”.

6 (b) BANK FOR INTERNATIONAL SETTLEMENTS.—
7 The International Organizations Immunities Act (22
8 U.S.C. 288 et seq.) is amended by adding at the end the
9 following:

10 “SEC. 17. The provisions of this title may be ex-
11 tended to the Bank for International Settlements in the
12 same manner, to the same extent, and subject to the same
13 conditions, as they may be extended to a public inter-
14 national organization in which the United States partici-
15 pates pursuant to any treaty or under the authority of
16 any Act of Congress authorizing such participation or
17 making an appropriation for such participation.”.

18 (c) THE HOLY SEE.—Under such terms and condi-
19 tions as the President shall determine, the President is
20 authorized to extend, or to enter into an agreement to ex-
21 tend, to the Permanent Observer Mission of the Holy See
22 to the United Nations in New York, and to its members,
23 the privileges and immunities enjoyed by the diplomatic
24 missions of member states to the United Nations, and

1 their members, subject to corresponding conditions and
2 obligations.

3 **SEC. 10. PROPERTY DISPOSITION.**

4 Section 633(e) of the Departments of Commerce,
5 Justice, and State, the Judiciary, and Related Agencies
6 Appropriations Act, 2004 (division B of Public Law 108-
7 199; 22 U.S.C. 2078(e)) is amended—

8 (1) by striking “The United States, through the
9 Department of State, shall retain ownership of the
10 Palazzo Corpi building in Istanbul, Turkey, and the”
11 and inserting “The”; and

12 (2) by striking “at such location” and inserting
13 “at an appropriate location”.

14 **SEC. 11. SERVICES FOR CHILDREN WITH AUTISM AT OVER-**
15 **SEAS MISSIONS.**

16 (a) **STUDY.**—With respect to countries in which there
17 is at least one mission of the United States, the Secretary
18 of State shall conduct a study of the availability of pro-
19 grams that address the special needs of children with au-
20 tism, including the availability of speech therapists and
21 pediatric occupational therapists at Department of De-
22 fense sponsored schools. Such study shall include the esti-
23 mated incidence of autism among dependents of members
24 of the Foreign Service and dependents of specialist For-
25 eign Service personnel. Such study shall also include an

1 analysis of the possibility of establishing “Educational
2 Centers of Excellence” for such children.

3 (b) REPORT.—Not later than 30 days after the com-
4 pletion of the study required under subsection (a), the Sec-
5 retary shall submit to the Committee on International Re-
6 lations of the House of Representatives and the Com-
7 mittee on Foreign Relations of the Senate a report con-
8 taining the findings of the study together with any rec-
9 ommendations for related action.

10 **SEC. 12. REMOVAL OF CONTRACTING PROHIBITION.**

11 Section 406 of the Omnibus Diplomatic Security and
12 Antiterrorism Act of 1986 (22 U.S.C. 4856) is amended
13 by striking subsection (c).

14 **SEC. 13. ASSISTANCE FOR MATERNAL AND PRENATAL**
15 **CARE FOR CERTAIN INDIVIDUALS OF**
16 **BELARUS AND UKRAINE AFFECTED BY THE**
17 **CHERNOBYL DISASTER.**

18 Of the amounts made available for each of the fiscal
19 years 2007 and 2008 to carry out chapters 11 and 12
20 of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
21 2295 et seq. and 2296 et seq.) and the FREEDOM Sup-
22 port Act (22 U.S.C. 5801 et seq.), such sums as may be
23 necessary for each such fiscal year are authorized to be
24 available for assistance to improve maternal and prenatal
25 care, especially for the purpose of helping prevent birth

1 defects and pregnancy complications, for individuals in the
2 Republic of Belarus and Ukraine affected by the
3 Chernobyl disaster.

4 **SEC. 14. FOREIGN SERVICE PAY FOR PERFORMANCE SYS-**
5 **TEM.**

6 (a) PURPOSE.—The purposes of this section are—

7 (1) to recruit, retain, and reward high-per-
8 forming Foreign Service members required to be
9 available for worldwide assignment;

10 (2) to ensure performance management that ef-
11 fectively communicates performance expectations
12 and makes meaningful distinctions based upon rel-
13 ative performance; and

14 (3) to institute a worldwide pay system, con-
15 sistent with the requirement that Foreign Service
16 members be available for worldwide assignment.

17 (b) FOREIGN SERVICE SCHEDULE.—Section 403 of
18 the Foreign Service Act of 1980 (22 U.S.C. 3963) is
19 amended to read as follows:

20 **“§ 403. Foreign service schedule**

21 “(a) ESTABLISHMENT.—The President shall estab-
22 lish, and periodically adjust, a Foreign Service Schedule,
23 which shall consist of 9 salary classes that apply to mem-
24 bers of the Service who are citizens of the United States
25 and for whom salary rates are not otherwise provided

1 under this chapter. The maximum salary rate for the high-
2 est class established under this section, which shall be des-
3 ignated class 1, may not exceed the rate of basic pay for
4 level IV of the Executive Schedule under section 5315 of
5 title 5, United States Code.

6 “(b) ADJUSTMENTS.—Any adjustment in the basic
7 salary rates for members of the Service made at the time
8 of a schedule adjustment under subsection (a) shall be
9 made in accordance with section 406.”.

10 (c) WITHIN CLASS SALARY INCREASES.—Section
11 406 of the Foreign Service Act of 1980 (22 U.S.C. 3966)
12 is amended to read as follows:

13 **“§ 406. Within class salary increases**

14 “(a) DETERMINATION.—The Secretary, in the Sec-
15 retary’s sole and exclusive discretion, shall determine
16 which basic salary rate within a band of rates of pay pre-
17 scribed by the President under section 403(a) shall be paid
18 to members of the Service, taking into account individual
19 performance, contribution to the mission of the Depart-
20 ment, or both, under a rigorous performance management
21 system that—

22 “(1) makes meaningful distinctions based upon
23 relative performance; and

24 “(2) clearly links individual pay and perform-
25 ance under precepts prescribed by the Secretary.

1 “(b) EQUAL BASIC SALARY ADJUSTMENTS.—Not-
2 withstanding subsection (a), the Secretary, in the Sec-
3 retary’s sole and exclusive discretion, may provide equal
4 basic salary adjustments for all career candidates or other
5 members of the Service—

6 “(1) whose performance has not been reviewed
7 by a selection board under section 602; and

8 “(2) who are found to meet the standards of
9 performance for their class.

10 “(c) PERFORMANCE-BASED SALARY ADJUST-
11 MENTS.—

12 “(1) IN GENERAL.—For performance-based pay
13 adjustments, the Secretary in the Secretary’s sole
14 and exclusive discretion, shall annually allocate an
15 amount equal to or greater than the sum of—

16 “(A) an amount that would be sufficient to
17 fund increases under section 406(a) of the For-
18 eign Service Act as in effect on March 31,
19 2008; and

20 “(B) the amount necessary to provide for
21 pay adjustments based on mission require-
22 ments, labor market conditions, availability of
23 funds, pay adjustments received by employees
24 of other Federal agencies, and any other rel-
25 evant factors.

1 “(2) FLEXIBILITY.—The formula set forth in
2 paragraph (1) shall—

3 “(A) ensure that employees, in the aggre-
4 gate, are not disadvantaged in terms of the
5 overall amount of pay available as a result of
6 conversion to the new foreign service perform-
7 ance-based compensation system; and

8 “(B) provide flexibility to accommodate
9 changes in the mix of employees performing
10 those functions, and other changed cir-
11 cumstances that might impact pay levels.

12 “(3) LIMITATION.—No performance-based sal-
13 ary adjustments authorized by this section may be
14 paid to any member of the Service if the perform-
15 ance of the member falls below the standards of per-
16 formance for the salary class of the member.”.

17 (d) EXCEPTIONS.—

18 (1) LOCALITY PAYMENTS FOR PRIOR SERV-
19 ICE.—A member of the Foreign Service may not re-
20 ceive a locality payment under section 5304 of title
21 5, United States Code, for service performed on or
22 after the first day of the first pay period beginning
23 on or after April 1, 2008.

24 (2) PRIOR SERVICE PAY.—Except as provided
25 in section 16(c)(1), a member of the Foreign Service

1 may not receive a nonforeign area allowance or dif-
2 ferential under section 5941 of title 5, United States
3 Code, for service performed on or after the first day
4 of the first pay period beginning on or after April
5 1, 2008.

6 (e) EFFECTIVE DATE.—This section and the amend-
7 ments made by this section shall take effect on the first
8 day of the first pay period beginning on or after April 1,
9 2008.

10 **SEC. 15. PAY FOR PERFORMANCE INTERIM SCHEDULE.**

11 (a) RATES OF PAY.—

12 (1) IN GENERAL.—Except as provided under
13 subsection (b), the Foreign Service Schedule estab-
14 lished under section 403 of the Foreign Service Act
15 of 1980, in effect on the date of the enactment of
16 this Act, including step rates—

17 (A) shall be adjusted in accordance with
18 section 5303 of title 5, United States Code; and

19 (B) shall be capped at the maximum rate
20 of basic pay for grade GS-15 of the General
21 Schedule under section 5332 of that title.

22 (2) LOCALITY PAY.—A member of the Service
23 whose official duty station is located in an applicable
24 locality pay area shall continue to receive locality-

1 based comparability payments under section 5304 of
2 that title.

3 (b) INTERIM FOREIGN SERVICE SCHEDULE.—

4 (1) ESTABLISHMENT.—The Secretary of State
5 shall establish an interim Foreign Service Schedule
6 for members of the Service designated class 1 or
7 below whose official duty station is not located in
8 areas for which such members receive payments pur-
9 suant to section 5304 or 5941 of title 5, United
10 States Code.

11 (2) INCREASED RATES.—The rates under the
12 Foreign Service Schedule established under this sub-
13 section shall be 9 percent higher than the rates
14 under the Foreign Service Schedule described in
15 subsection (a) unless a different percentage is pre-
16 scribed by the President. Each covered member shall
17 receive a corresponding increase in the member's
18 rate of basic pay. Any adjustment of the rates under
19 the Foreign Service Schedule described in subsection
20 (a) shall result in a corresponding adjustment of
21 rates under the Foreign Service Schedule established
22 under this subsection.

23 (3) CONVERSION RULES.—The Secretary, in
24 the Secretary's sole and exclusive discretion, shall
25 establish conversion rules for a member who is

1 transferred between the Foreign Service Schedule
2 described in subsection (a) and the Foreign Service
3 Schedule established under this subsection due to a
4 change in official duty station.

5 (c) STEP INCREASES.—A member covered by the
6 Foreign Service Schedule (including the interim Foreign
7 Service Schedule) shall receive within class salary step in-
8 creases in accordance with section 406 of the Foreign
9 Service Act of 1980 (22 U.S.C. 3966), including step in-
10 creases that become effective on the first day of the first
11 pay period beginning on or after April 1, 2008.

12 (d) EFFECTIVE DATE.—This section shall take effect
13 beginning on the first day of the first pay period beginning
14 on or after April 1, 2007, and ending on the effective date
15 described in section 14(e).

16 **SEC. 16. UNIFORM COMPENSATION FOR WORLDWIDE SERV-**
17 **ICE.**

18 (a) TRANSITIONS AND PAY FORMULAS.—

19 (1) TRANSITION DATE.—Subject to paragraphs
20 (2) through (4), a member of the Service designated
21 class 1 or below shall be converted to the new For-
22 eign Service Schedule established under section 403
23 of the Foreign Service Act of 1980, as amended by
24 section 14, on the first day of the first pay period
25 beginning on or after April 1, 2008.

1 (2) SIMULTANEOUS PAY ACTIONS.—Subject to
2 section 15(c), the Secretary, in the Secretary’s sole
3 and exclusive discretion, shall determine whether
4 and how any applicable simultaneous pay actions
5 will be applied in connection with a conversion,
6 under paragraph (1).

7 (3) PAY CONVERSION FORMULA.—Any member
8 described in paragraph (1) whose official duty sta-
9 tion is not located in an area for which members re-
10 ceive payments pursuant to section 5304 or 5941 of
11 title 5, United States Code, shall receive an increase
12 in the member’s rate of basic pay upon conversion,
13 if necessary, to ensure that the resulting rate equals
14 the sum of—

15 (A) the base rate under the Foreign Serv-
16 ice Schedule described in subsection (a) for the
17 member’s class and step; and

18 (B) the amount resulting from multiplying
19 the rate described in subparagraph (A) by the
20 locality-based comparability percentage in effect
21 for the Washington, D.C. locality pay area at
22 that time.

23 (4) LOCALITY-BASED PAY.—Any member de-
24 scribed in paragraph (1) whose official duty station
25 is located in an area for which such members receive

1 payments pursuant to section 5304 or 5941 of title
2 5, United States Code, shall, upon conversion, cease
3 to receive payments authorized under such sections
4 and shall receive instead an increase in the mem-
5 ber's rate of basic pay equivalent to the percentage
6 value of the locality-based comparability payment re-
7 ceived by members of the Service designated class 1
8 or below whose official duty station was Washington,
9 D.C. on the date of conversion.

10 (b) ADJUSTMENTS IN THE RATE OF BASIC PAY.—

11 (1) IN GENERAL.—After conversion to the For-
12 eign Service Schedule established under section 403
13 of the Foreign Service Act of 1980, as amended by
14 section 14, the Secretary, in the Secretary's sole and
15 exclusive discretion, may provide a special one-time
16 adjustment in the rate of basic pay for career can-
17 didates or other members of the Service—

18 (A) whose performance has not been re-
19 viewed by a selection board under section 602
20 of such Act (22 U.S.C. 4002); and

21 (B) who, if not for such conversion, would
22 have been scheduled to receive a step increase
23 after the date of conversion and before Sep-
24 tember 30, 2008.

1 (2) LIMITATIONS.—Any such adjustment shall
2 be prorated based on the portion of the waiting pe-
3 riod completed as of the day before conversion. No
4 adjustment under this subsection may result in a
5 rate above the maximum rate of the applicable rate
6 range.

7 (c) SPECIAL TRANSITIONAL RULES.—

8 (1) SPECIAL RULES.—The Secretary, in the
9 Secretary's sole and exclusive discretion, may estab-
10 lish special transitional rules to prevent a reduction
11 in a member's rate of pay due to a conversion to the
12 Foreign Service Schedule established under section
13 15(b). Notwithstanding subsection (a)(4), such rules
14 may authorize a member stationed in a nonforeign
15 area to temporarily continue to receive a portion of
16 an allowance or post differential under section 5941
17 of title 5, United States Code.

18 (2) APPLICABILITY.—This subsection shall
19 apply to a member who, immediately before
20 conversion—

21 (A) is entitled to a locality-based com-
22 parability payment under section 5304 of title
23 5, United States Code, at a rate exceeding the
24 locality rate applicable in Washington, D.C., at
25 that time; or

1 (B) is entitled to a nonforeign area allow-
2 ance or differential under section 5941 of such
3 title.

4 (3) TREATMENT OF TEMPORARY ADJUST-
5 MENT.—Any temporary adjustment provided to a
6 member described in paragraph (2)(A) shall be
7 treated as basic pay for the same purposes as the lo-
8 cality-based comparability payment under section
9 5304 of title 5, United States Code.

10 **SEC. 17. TECHNICAL AND CONFORMING AMENDMENTS.**

11 (a) TECHNICAL AND CONFORMING AMENDMENTS TO
12 THE FOREIGN SERVICE ACT.—The Foreign Service Act
13 of 1980 (22 U.S.C. 3901 et seq.) is amended—

14 (1) in section 402(a)(2) (22 U.S.C.
15 3962(a)(2))—

16 (A) by striking “The Secretary shall” and
17 inserting “The Secretary, in the Secretary’s
18 sole and exclusive discretion, shall”;

19 (B) by striking “the Secretary may” and
20 inserting “The Secretary, in the Secretary’s
21 sole and exclusive discretion, may”; and

22 (C) by inserting “under precepts pre-
23 scribed by the Secretary.” after “system”;

24 (2) in section 602(a) (22 U.S.C. 4002(a)), by
25 amending paragraph (3) to read as follows:

1 “(3) approvals or denials of pay for perform-
2 ance salary adjustments under sections 402(a)(2)
3 and 406(a)”;

4 (3) in section 605 (22 U.S.C. 4005)—

5 (A) in subsection (a)—

6 (i) by inserting “and pay for perform-
7 ance salary adjustments under sections
8 402(a)(2) and 406(a)” after “Rec-
9 ommendations for promotion”; and

10 (ii) by inserting “and pay for perform-
11 ance salary adjustments” after “shall
12 make promotions”; and

13 (B) in subsection (b)—

14 (i) by inserting “or precepts pre-
15 scribed by the Secretary” after “set forth
16 by regulation”; and

17 (ii) by inserting “or salary adjust-
18 ment” after “delay the promotion”;

19 (4) in section 806(a)(9) (22 U.S.C.
20 4046(a)(9)), by adding at the end the following:
21 “This paragraph shall not apply to service per-
22 formed on or after the first day of the first pay pe-
23 riod beginning on or after April 1, 2008.”; and

24 (5) in section 855(a)(3) (22 U.S.C.
25 4071d(a)(3)), by adding at the end the following:

1 “This paragraph shall not apply to service per-
2 formed on or after the first day of the first pay pe-
3 riod beginning on or after April 1, 2008.”.

4 (b) TECHNICAL AND CONFORMING AMENDMENTS TO
5 TITLE 5.—Title 5, United States Code, is amended—

6 (1) in chapter 53—

7 (A) in section 5302(1)—

8 (i) in subparagraph (A), by adding
9 “or” at the end;

10 (ii) by striking subparagraph (B); and

11 (iii) by redesignating subparagraph
12 (C) as subparagraph (B); and

13 (B) in section 5304(h)(1)(D)—

14 (i) in clause (v), by striking “or” at
15 the end;

16 (ii) in clause (vi), by striking the pe-
17 riod at the end and inserting “; or”; and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(vii) a position in the Foreign Serv-
21 ice.”; and

22 (2) in chapter 57—

23 (A) in section 5753(a)(2)(A), by inserting:

24 “, excluding members of the Foreign Service

1 other than chiefs of mission and ambassadors
2 at large” before the semicolon at the end.

3 (B) in section 5754(a)(2)(A), by inserting:
4 “, excluding members of the Foreign Service
5 other than chiefs of mission and ambassadors
6 at large” before the semicolon at the end.

7 (c) EFFECTIVE DATES.—The amendments made by
8 subsections (a) and (b)(1) shall take effect on the first
9 day of the first pay period beginning on or after April 1,
10 2008.

11 **SEC. 18. DUAL GATEWAY POLICY OF THE GOVERNMENT OF**
12 **IRELAND.**

13 (a) IN GENERAL.—The Secretary of State shall re-
14 view the dual gateway policy and determine the effects the
15 discontinuation of such policy might have on the economy
16 of the United States and the economy of western Ireland
17 before the United States takes any action that could lead
18 to the discontinuation of such policy.

19 (b) ECONOMIC IMPACT STUDY.—In determining the
20 effects that the discontinuation of such policy might have
21 on the economy of the United States, the Secretary, in
22 consultation with the heads of other appropriate depart-
23 ments and agencies, shall consider the effects the dis-
24 continuation of such policy might have on United States
25 businesses operating in western Ireland, Irish businesses

1 operating in and around Shannon Airport, and United
2 States air carriers serving Ireland.

3 (c) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary shall submit
5 to the Committee on International Relations of the House
6 of Representatives and the Committee on Foreign Rela-
7 tions of the Senate a report describing the determinations
8 made under subsection (a), together with any rec-
9 ommendations for United States action.

10 (d) DEFINITION.—In this section, the term “dual
11 gateway policy” means the policy of the Government of
12 Ireland requiring certain air carriers serving Dublin Air-
13 port to undertake an equal numbers of flights to Shannon
14 Airport and Dublin Airport during each calendar year.

15 **SEC. 19. PERSONAL SERVICES CONTRACTING PROGRAM.**

16 Section 504 of the Foreign Relations Authorization
17 Act, Fiscal Year 2003 (Public Law 107-228) is
18 amended—

19 (1) in the section heading, by striking
20 “**PILOT**”;

21 (2) in subsection (a)—

22 (A) by striking “pilot”;

23 (B) by striking “(in this section referred to
24 as the ‘program’)”; and

1 (C) by striking “producers, and writers”
2 and inserting “and other broadcasting special-
3 ists”;

4 (3) in subsection (b)(4), by striking “60” and
5 inserting “100”; and

6 (4) by striking subsection (c).

7 **SEC. 20. WORLDWIDE AVAILABILITY.**

8 Section 301(b) of the Foreign Service Act of 1980
9 (22 U.S.C. 3491(b)) is amended by adding at the end the
10 following new sentence: “At the time of entry into the
11 Service, each member of the Service must be worldwide
12 available, as determined by the Secretary of State through
13 appropriate medical examinations, unless the Secretary
14 determines that a waiver of the worldwide availability re-
15 quirement is required to fulfill a compelling Service need.
16 The Secretary shall establish an internal administrative
17 review process for medical ineligibility determinations.”.

109TH CONGRESS
2D SESSION

H. RES. 985

Directing the Secretary of State to provide to the House of Representatives certain documents in the possession of the Secretary of State relating to the report submitted to the Committee on International Relations of the House of Representatives on July 28, 2006, pursuant to the Iran and Syria Nonproliferation Act.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2006

Mr. BERMAN (for himself and Mr. DELAHUNT) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Directing the Secretary of State to provide to the House of Representatives certain documents in the possession of the Secretary of State relating to the report submitted to the Committee on International Relations of the House of Representatives on July 28, 2006, pursuant to the Iran and Syria Nonproliferation Act.

1 *Resolved*, That the Secretary of State is directed to
2 provide to the House of Representatives, not later than
3 14 days after the date of the adoption of this resolution,
4 all documents (excluding those documents that reveal in-
5 telligence sources and methods) in the possession of the
6 Secretary of State, including notes from meetings, memos,

1 and electronic mail records, relating to the report sub-
2 mitted to the Committee on International Relations of the
3 House of Representatives on July 28, 2006, pursuant to
4 section 2 of the Iran and Syria Nonproliferation Act (Pub-
5 lic Law 106–178; 50 U.S.C. 1701 note), including—

6 (1) any such document indicating the dates on
7 which the draft report was circulated to and ap-
8 proved by various offices and bureaus of the Depart-
9 ment of State;

10 (2) any such document relating to the date on
11 which the report would be submitted to Congress;
12 and

13 (3) any such document relating to the briefing
14 provided by Department of State officials to con-
15 gressional staff on July 26, 2006, regarding the con-
16 tents of the report.

○

Chairman HYDE. I am pleased to see some of the Filipino war veterans are with us today and we greet them.

[Applause.]

Mr. LANTOS. Mr. Chairman?

Chairman HYDE. Yes, Mr. Lantos?

Mr. LANTOS. I would like all Members and members of the audience just to stay for 1 minute.

Although we are planning appropriate on-the-Floor tributes to our distinguished Chairman, in view of the fact that this may be our last markup, I would like to express on behalf of all Members of this Committee, Republicans and Democrats, our deepest appreciation for the privilege of having served with one of the rare statesmen of our age who has brought judgment, wisdom, experience, fairness and extraordinary commitment to the national welfare to this body.

I would like everyone to join me in thanking our Chairman.

[Applause.]

Mr. BURTON. Mr. Chairman?

Chairman HYDE. Who seeks time?

Mr. BURTON. Mr. Burton of Indiana. I just wanted to make one inquiry. I could not figure out why Mr. Lantos did not mention your good looks as well.

Mr. LANTOS. Pure jealousy.

Chairman HYDE. When I came here 32 years ago, I wanted to change the world. Now, I just want to leave with dignity. [Laughter.]

The Committee stands adjourned, with my thanks.

[Whereupon, at 12 o'clock p.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE SHERROD BROWN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF OHIO

Mr. Chairman—

I would like to thank you for advancing legislation on a number of important issues, but in particular, for considering H. Res. 723 and H.Res. 992, both of which address the genocide in Darfur.

Civilians in Sudan are being systematically murdered, raped and brutalized. We have recognized these atrocities as genocide—and yet we have not been able to protect civilians in Darfur.

The United States and the international community must work together to end the genocide.

The African Union peacekeeping forces are scheduled to withdraw at the end of the month. Last week, the UN Security Council approved the deployment of more than 20,000 military and police into the Darfur region. But the Sudanese government opposes international intervention.

The resolutions that we consider today call for increased world involvement and American leadership to protect innocent lives and end the genocide.

H.Res.723 calls on the world to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection.

H.Res. 992 calls for the appointment of a Presidential Special Envoy to coordinate U.S. policy towards Sudan.

The Special Envoy would facilitate the development of an international peacekeeping mission, deter the escalation of the violence in the region, coordinate reconstruction in marginalized areas, coordinate the return of refugees, work toward achieving a peaceful, stable, democratic Sudan, and coordinate bringing those responsible for the genocide to justice.

The violence and ongoing humanitarian challenges that the people of Darfur face require our commitment.

I strongly support H.Res.723 and H.Res.992.

PREPARED STATEMENT OF THE HONORABLE JOSEPH CROWLEY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW YORK

H.RES 622—REP. DARREL ISSA RECOGNIZING AND HONORING THE FILIPINO WORLD WAR
II VETERANS

- Mr. Chairman I reserve the Right to Object
- Mr. Chairman I want to commend my colleague and good friend, Rep. Darrell Issa for this resolution recognizing the important contributions of Filipino's in the efforts of World War II. And I am proud to join him as a co-sponsor.
- I know first hand of the tremendous heroism and sacrifice of Filipino's in World War II and I think it is time of this Congress to recognize it
- In my own district, I represent an area known in New York City, as Little Manila, between 65th and 71st Streets on Roosevelt Avenue
- Filipino's have made a tremendous contribution to the United States not only by fighting alongside US soldiers in the South Pacific Theater, but through their success today in my own local neighborhood and in communities throughout this country.
- I urge my colleagues to support this bill.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 940

- Mr. Speaker this resolution recognizes the Government of Peru on their 185th Anniversary.
- Peru has been a strong partner of the United States and the recent elections in Peru
- The election of President Garcia should be applauded by our Congress as a peaceful transition of power and a strong affirmation of the ties between the United States and Peru.
- Approximately 300,000 Peruvians live in the United States and many of them reside in or visit my Congressional district of Jackson Heights, Queens.
- I urge this Committee to pass this resolution recognizing the strong foundation of their homeland, Peru, on its 185 anniversary.

H.RES 976—MCCAUL (TX)—CROWLEY

- Mr. Chairman I reserve the right to object
- Mr. Chairman, I am proud to join my good friend Michael McCaul as a sponsor of his resolution.
- Michael has brought a tremendous amount of talent to this committee and to these issues and I want to recognize him for it.
- Mr. Chairman, this resolution condemns the miserable human rights record of the government of Iran.
- Not only is Iran a threat to US troops fighting the war on terror in Iraq, to Israel, to Western Europe and of course to the United States.
- The Iranian government is first and foremost a threat to its own people.
- We have long documented discrimination against women, minorities, Jews, Christians, and gays in Iran.
- Instead of an opening up of Iranian culture, there is a systemic repression of many.
- As a member of the United Nations, and a signatory to many international treaties banning discrimination, Iran needs to do better.
- This resolution demands that and I urge its passage.

